



Wyong  
Shire  
Council  
CENTRAL COAST



The \$3.2 million upgrade of Warnervale Road is nearing completion after almost six months of construction to raise and widen the road to reduce flooding.

Wyong Shire Council

# Business Paper

## ORDINARY COUNCIL MEETING

09 April 2014

*This page is intentionally blank*

# MEETING NOTICE

The **ORDINARY COUNCIL MEETING**  
of **Wyong Shire Council**  
will be held in the **Council Chamber,**  
**Wyong Civic Centre, Hely Street, Wyong on**  
**WEDNESDAY 9 APRIL 2014 at 5.00 pm,**  
for the transaction of the business listed below:

## OPENING PRAYER

## ACKNOWLEDGEMENT OF COUNTRY

## RECEIPT OF APOLOGIES

### 1 PROCEDURAL ITEMS

1.1	Disclosures of Interest .....	5
1.2	Proposed Inspections and Briefings .....	6
1.3	Confirmation of Minutes of Previous Meeting.....	9
1.4	Notice of Intention to Deal with Matters in Confidential Session.....	24

### 2 PLANNING REPORTS

2.1	Draft Development Control Plan 2013: Chapter 6.22 - Glenning Valley .....	26
2.2	Polices Due for Review within Development and Building Department .....	58
2.3	DA 1066/2013 - Proposed Performing Arts and Conference Centre at Wyong .....	96

### 3 CONTRACT REPORTS

3.1	T06 Sewer Rising Main Partial Replacement Noraville.....	98
-----	--	----

### 4 GENERAL REPORTS

4.1	Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2 (incorporating the Four Year Delivery Program and 2014/15 Operational Plan) .....	102
4.2	Lake Haven and Bateau Bay Masterplans .....	107
4.3	Renaming of George Fulcher Playground, Killarney Vale.....	120
4.4	Temporary Economic Stimulus Plan .....	126
4.5	Community Subsidy Program and Sport & Cultural Sponsorship Program Applications .....	134
4.6	Wyong Shire Council's Submissions in response to the Independent Local Government Review Panel and Local Government Acts Taskforce Final Reports .....	137
4.7	2014 National General Assembly of Local Government .....	139
4.8	"Key Site" The Entrance - Adoption of Site Specific Development Control Plan .....	180
4.9	Proposed Councillors' Community Improvement Grants .....	203
4.10	Draft Minutes of the Waste Watch Committee Meeting - 27 February 2014 .....	207
4.11	Councillor Attendance - Special Olympics New South Wales 2014 Gala Dinner .....	218
4.12	Public Library Funding Campaign .....	222

**5 INFORMATION REPORTS**

5.1	Options for Dredging Ourimbah Creek mouth within the current dredging budget.....	226
5.2	Road Capital Works Program.....	234
5.3	Outstanding Questions on Notice and Notices of Motion.....	247

**6 ANSWERS TO QUESTIONS ON NOTICE**

6.1	Lake Haven Skateboard Ramp .....	254
6.2	Soldiers Beach Surf Club .....	256
6.3	Shire Wide Spring Clean and Free Tip Access .....	257
6.4	Q61/14 - RMS Upgrade to Pacific Highway .....	258
6.5	Q51/14 - Sparks Road.....	259

**7 NOTICES OF MOTION**

7.1	Notice of Motion - Bicentennial Time Capsule - Relocation .....	260
-----	---	-----

**8 CONFIDENTIAL ITEMS**

8.1	Council Owned Iconic Development Sites - Wyong, Toukley and The Entrance - Proposals Received	
-----	--	--

**9 QUESTIONS ON NOTICE ASKED**

At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Michael Whittaker  
**GENERAL MANAGER**



## 1.1 Disclosures of Interest

---

TRIM REFERENCE: F2013/02042 - D06172945

MANAGER: Lesley Crawley, Manager

AUTHOR: Fiona Kurtz; Councillor Services Officer

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

### RECOMMENDATION

***That Councillors now disclose any conflicts of interest in matters under consideration by Council at this meeting.***

## 1.2 Proposed Inspections and Briefings

---

TRIM REFERENCE: F2013/02042 - D06172986  
MANAGER: Lesley Crawley, Manager  
AUTHOR: Fiona Kurtz; Councillor Services Officer

### SUMMARY

Briefings proposed for this meeting and future meetings to be held in the Wilfred Barrett and Tim Farrell Committee Rooms:

<b>Date</b>	<b>Briefing</b>	<b>Directorate</b>
09/04/2014	Stage 2 Reclassification - Part Three (of four)	Property and Economic Development
09/04/2014	Dept of Planning - Culture Change Across the Planning Sector	GM Unit
09/04/2014	Sponsorship	Community and Recreation Services
09/04/2014	Tourism	Community and Recreation Services

### RECOMMENDATION

*That Council receive the report on Proposed Inspections and Briefings.*

### ATTACHMENTS

1 Councillor Proposed Briefings - Ordinary Meeting 9 April 2014 D06557256

## Proposed Briefings and Inspection List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Stage 2 Reclassification - Part Three (of four)	Property and Economic Development		09/04/2014
Dept of Planning - Culture Change Across the Planning Sector	GM Unit		09/04/2014
Sponsorship	Community and Recreation Services		09/04/2014
Tourism	Community and Recreation Services		09/04/2014
Stage 2 Reclassification - Part Four (of four)	Property and Economic Development		23/04/2014
Community Ward Forums	Community and Recreation Services		23/04/2014
Education and Business Precinct	Property and Economic Development		23/04/2014
INSPECTION - The Lakes Seawall	Infrastructure Management		07/05/2014
INSPECTION - Tuggerah Lakes by Boat	Infrastructure Management		07/05/2014
INSPECTION - The Entrance Tiles	Infrastructure Management		07/05/2014
Natural Resources Management Strategy	Property and Economic Development		14/05/2014
Biodiversity Management Plan	Property and Economic Development		14/05/2014
CTA MOU (External)	GM Unit		14/05/2014
Consider submissions, Q3 report, Make rates, fees and charges, Adopt Strategic Plan	GM Unit		28/05/2014
Engagement Frameworks Status & First Ward Forums Evaluation	Community and Recreation Services		28/05/2014
Public and Private Tree Process	Community and Recreation Services		28/05/2014
Education and Business Precinct - Masterplan	Property and Economic Development		09/07/2014
Pioneer Dairy	Community and Recreation Services	April	
Magenta Shared Path	Community and Recreation Services	April	
Positive Ageing Strategy	Community and Recreation Services	May	
Recreation Centres Future	Community and Recreation Services	May	
Customer Service	Community and Recreation Services	May	
Library Future	Community and Recreation Services	May	
Brand	Community and Recreation Services	May	
Skate Strategy	Community and Recreation Services	June	
Facts of and Strategy for Tidy Towns & LandCare	Community and Recreation Services	July	
Social Return on Investment	Community and Recreation Services	July	

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Library Future - Overview	Community and Recreation Services	July	
Wyong CBD Drainage Study	Infrastructure Management	May	
IPART Determination Review	Infrastructure Management	May	

### **1.3 Confirmation of Minutes of Previous Meeting**

---

TRIM REFERENCE: F2013/02042 - D06173044  
MANAGER: Lesley Crawley, Manager  
AUTHOR: Fiona Kurtz; Councillor Services Officer

#### **SUMMARY**

Confirmation of minutes of the Extraordinary Meeting of Council held Wednesday 19 March 2014 and the previous Ordinary Meeting of Council held on Wednesday 26 March 2014.

#### **RECOMMENDATION**

***That Council confirm the minutes of the Extraordinary Meeting of Council held Wednesday 19 March 2014 and the previous Ordinary Meeting of Council held on Wednesday 26 March 2014.***

#### **ATTACHMENTS**

- |   |  |           |
|---|--|-----------|
| 1 | Minutes - Extraordinary Council Meeting 19 March 2014                  | D06254150 |
| 2 | Minutes - Ordinary Meeting 26 March 2014                               | D06392794 |
| 3 | Minutes - Confidential Session of the Ordinary Meeting 26 March 2014 - | D06392848 |

**WYONG SHIRE COUNCIL**

**MINUTES OF THE  
EXTRAORDINARY COUNCIL MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 19 MARCH 2014  
COMMENCING AT 7:00PM**

---

---

**PRESENT**

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews, L S Taylor, A Troy, D P Vincent and L D Webster.

**IN ATTENDANCE**

General Manager, General Counsel/Acting Director Development and Building and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 7.04pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Councillor Matthews read an acknowledgment of country statement.

The Mayor noted that the Lower Hunter Water Plan presentation was deferred to the next CCROC meeting.

**APOLOGY**

An apology for the inability to attend the meeting was received on behalf of Councillor Nayna due to work commitments.

***RESOLVED unanimously on the motion of Councillor MATTHEWS and seconded by Councillor GREENWALD:***

***232/14 That Council accept the apology and grant leave of absence from the meeting.***

**1.1 Disclosure of Interest**

---

Councillor Best declared a non-pecuniary significant conflict of interest in the Matter of Urgency - Wallarah 2 Coal Mine for the reason that he is the General Manager of CCGT that has business relations with the proponent of the mine. Councillor Best left the chamber at 7.07pm, took no part in discussion, did not vote and returned to the chamber at 7.08pm.

**RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor WEBSTER:**

**233/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**PROCEDURAL MOTION**

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**234/14 That Council allow meeting practice to be varied.**

**235/14 That Council use the exception method to deal with the balance of the Agenda.**

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**236/14 That with the exception of the two Matters of Urgency, Council adopt the recommendations contained in the paper.**

**1.2 Mayoral Minute - Central Coast Academy of Sports Presentation**

---

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**237/14 That Council approve the grant of \$10,000 for the Central Coast Academy of Sports Academy Games.**

**2.1 Code of Meeting Practice for Central Coast Regional Organisation of Councils**

---

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**238/14 That Council adopt the amended Code of Meeting Practice for Central Coast Regional Organisation of Councils.**



**3.1 Final Report - Independent Local Government Review Panel**

---

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**239/14 That Council receive and note the Final Report - Independent Local Government Review Panel.**

**MATTER ARISING**

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**240/14 That Council reconfirm the establishment of the Joint Committee of Councils to deal with the water issues (JWA) by 1 July 2014**

**3.2 Final Report - Local Government Act Taskforce**

---

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:**

**241/14 That Council receive the Final Report - Local Government Act Taskforce.**

**U1/14 Motion of Urgency - Wallarah 2 Coal Mine**

---

Councillor Best declared a non-pecuniary significant conflict of interest in the Matter of Urgency - Wallarah 2 Coal Mine for the reason that he is the General Manager of CCGT that has business relations with the proponent of the mine. Councillor Best left the chamber at 7.07pm, took no part in discussion, did not vote and returned to the chamber at 7.08pm.

**RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:**

**242/14 That Council receive and note the Background Paper on Wallarah 2 and the request from Wyong Council to list this item on the CCROC agenda.**

**243/14 That Council request Gosford Council urgently consider making a submission to the Planning Assessment Commission (PAC) in relation to the proposed mine.**

**U2/14 Motion of Urgency - M1-M2 Link NorthConnex**

---

**RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Councillor TAYLOR:**

**244/14 That Council congratulate the State and Federal Governments via local Members on their commitment to fund and build the NorthConnex by 2019, subject to the General Managers confirming the schedule of works.**

**A DIVISION was called by Councillors Greenwald and Vincent.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

**THE MEETING** closed at 7.11pm.

**WYONG SHIRE COUNCIL****MINUTES OF THE  
ORDINARY COUNCIL MEETING OF COUNCIL**

HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 26 MARCH 2014  
COMMENCING AT 5.00PM

---

---

**PRESENT**

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L S Taylor, A Troy, D P Vincent and L D Webster.

**IN ATTENDANCE**

General Manager, General Council/Acting Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, Manager Corporate Governance, Manager Communications, IT Infrastructure Administrator and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.00pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

John Hardwick delivered the opening prayer and Councillor Vincent read an acknowledgment of country statement.

**APOLOGY**

A request for leave of absence for the inability to attend the meeting was received on behalf of Councillor Nayna due to work commitments and Councillor Matthews.

***RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:***

***245/14 That Council grant leave of absence from the meeting.***

Brett Sherar, Manager Open Space and Recreation and Kathy Simmons, Principal Landscape Architect, Recreation Planning and Development presented the following two awards to the Mayor which were won by Wyong Shire Council at The Parks and Leisure Australia Regional Awards:

- Bamayi Reserve Playground, Blue Haven – Play space Award of Excellence for projects under \$250,000
- Canton Beach – All Access Play space for the visually impaired – Play space Award of Excellence for projects over \$250,000.

All items were dealt with in the correct agenda sequence.

---

**1.1 Disclosures of Interest**

---

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter 2.6 - Proposed Memorandum of Understanding - Woolworths Ltd Potential Land Swap at Budgewoi for the reason that he is an employee of Delta Electricity who owns land involved in the report. Councillor Vincent left the Chamber at 6.10pm, took no part in discussion, did not vote and returned to the Chamber at 6.35pm.

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter 6.2 - Report on proceedings before the Land and Environment Court of NSW in respect to the refusal of development applications DA/481/2013 and DA/582/2013 – subject to client legal privilege for the reason that information was supplied by the NSW Police who he works for in an unrelated area and location and participated in consideration of this matter.

Councillor Greenwald stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty.”*

**RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor GREENWALD:**

**246/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**PROCEDURAL MOTION**

**RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TAYLOR:**

**247/14 That Council allow meeting practice to be varied.**

**248/14 That Council use the exception method to deal with the balance of the Agenda.**

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

**249/14 That with the exception of report numbers 1.6, 2.1, 2.3, 2.4, 2.6, 5.1, and 6.2 Council adopt the recommendations contained in the remaining reports.**

---

**1.2 Proposed Inspections and Briefings**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

**250/14 That Council receive the report on Proposed Inspections and Briefings.**

**1.3 Address By Invited Speakers**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

- 251/14 That Council receive the amended report on Invited Speakers.
- 252/14 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

**1.4 Confirmation of Minutes of Previous Meeting**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

- 253/14 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 12 March 2014.

**Business Arising**

There was no business arising.

**1.5 Notice of Intention to Deal with Matters in Confidential Session**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

- 254/14 That Council consider the following matters in Confidential Session, pursuant to Sections 10 A (2) (a) and 10 A (2) (g) of the Local Government Act 1993:

6.1 – Sick Leave Cash-out Option

6.2 – Report on Proceedings Before the Land and Environment Court of NSW in Respect to the Refusal of Development Applications DA/481/2013 and DA/582/2013 – Subject to Client Legal Privilege

- 255/14 That Council note its reason for considering Report No 6.1 – Sick Leave Cash-out Option as it contains personnel matters concerning particular individuals (other than Councillors).
- 256/14 That Council note its reason for considering Report 6.2 – Report on Proceedings Before the Land and Environment Court of NSW in Respect to the Refusal of Development Applications DA/481/2013 and DA/582/2013 – Subject to Client Legal Privilege as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- 257/14 That Council request the General Manager to report on these matters in open session of Council.

**1.6 Mayoral Minute - Wyee Boundary Adjustment**

---

**RESOLVED on the motion of Councillor EATON:**

- 258/14** That Council receive and notes this report and the report of the Local Government Independent Panel.
- 259/14** That Council direct the General Manager to prepare a draft water and sewerage servicing plan for the Wyee district and report back to Council.
- 260/14** That Council authorise the Mayor to continue representations on this matter for the benefit of the wider community.

FOR: COUNCILLORS BEST, EATON, GRAHAM, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD AND VINCENT

**2.1 Water Usage Charge Concessions For Home Dialysis**

---

**RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor WEBSTER:**

- 261/14** That Council adopt the Water Usage Charge Concessions for Home Dialysis Policy.

**2.2 Amendment to the Facilities and Expenses for Councillors Policy**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

- 262/14** That Council note that the exhibition period for the review of its Facilities and Expenses Policy has concluded and no submissions were received.
- 263/14** That Council adopt the attached advertised amended Facilities and Expenses Policy for Councillors with additional and amended clauses as follows:
- a** Counselling - Councillors will be provided with access to the Council staff Counselling Program subject to the same conditions offered to staff.
  - b** Daily sustenance limit for sustenance - amend clauses at D9, D40 and items in the Table of Limits and Reconciliation to \$150 per day.
  - c** Partner Attendance at Conference events/functions – amend clause to separately cover partner costs, while in company of the councillor, at conference events/functions where previously included under partner registration costs.
  - d** Telecommunications – delete the proposal for cost of privately purchased equipment to be claimed as a depreciation over a four year period and replace with a provision for the cost of the private equipment to be reimbursed up front.

- e **Definition of Council Business – Amend the definition of Council business to assist clarity in use of private vehicle for travel.**
- f **Accompanying persons - include children of Councillors under 18 with the exception of air travel costs.**

264/14 **That Council deem the additional amendments 2a, 2b and 2c not substantial and adopt the advertised policy and the amendment immediately.**

265/14 **That Council deem the additional amendments 2d, 2e and 2f as substantial and place the policy on further exhibition in accordance with the Local Government Act, 1993.**

266/14 **That Council provide the Department of Local Government with a copy of the adopted policy.**

### **2.3 Reviewed Policy - Nuclear Free Zone**

---

**RESOLVED on the motion of Councillor BEST and seconded by Councillor TROY:**

267/14 **That Council repeal the Reviewed Policy - Nuclear Free Zone.**

### **2.4 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 6 March 2014**

---

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:**

268/14 **That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 6 March 2014.**

269/14 **That Council write to the Minister for the Environment to expedite the release of the coastal reforms.**

### **2.5 Draft Minutes of the Employment and Economic Development Committee Meeting - 5 March 2014**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

270/14 **That Council receive and note the draft minutes of the Employment and Economic Development Committee meeting held on 5 March 2014.**

271/14 **That Council present Councillors with an opportunity to inspect sites nominated by Councillors as part of the Stage 2 Land Reclassification.**

272/14 **That Council support the CASAR Race Track Community Matching Fund Grant application for \$75,000.**



- 273/14 That Council support the CASAR Race Track initiative through its membership on the Department of Premier and Cabinet Enabling Taskforce (Central Coast Sites).
- 274/14 That Council seek to assist the applicant of the CASAR Race Track initiative to expedite any planning issues through pre-lodgement meetings.
- 275/14 That Council note that the CASAR Race Track initiative is an employment generating development and would therefore trigger priority application timeframes.
- 276/14 That Council seek further efficiencies for approval of development assessments.
- 277/14 That Council hold a Service Club Summit where all local service clubs are invited to be fully briefed regarding Council's initiative to provide affordable aged living accommodation.
- 278/14 That Council request all future amendments to the Wyong LEP be reported to the Employment and Economic Development Committee.

## 2.6 Proposed Memorandum of Understanding - Woolworths Ltd Potential Land Swap at Budgewoi

---

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter 2.6 - Proposed Memorandum of Understanding - Woolworths Ltd Potential Land Swap at Budgewoi for the reason that he is an employee of Delta Electricity who owns land involved in the report. Councillor Vincent left the Chamber at 6.10pm, took no part in discussion, did not vote and returned to the Chamber at 6.35pm.

Councillor Best left the meeting at 6.10pm and returned to the meeting at 6.12pm during consideration of this item.

Councillor Taylor left the meeting at 6.13pm and returned to the meeting at 6.14pm during consideration of this item.

Councillor Troy left the meeting at 6.17pm and returned to the meeting at 6.19pm during consideration of this item.

**RESOLVED on the motion of Councillor EATON and seconded by Councillor TROY:**

- 279/14 That Council note that it does not support the proposal by Woolworths to rezone land at Colongra.
- 280/14 That Council acknowledge that it would prefer that Woolworths establish a new supermarket within the retail centre of Budgewoi.
- 281/14 That Council note that preliminary discussions have occurred between the Mayor, Senior Council Officers and representatives from Woolworths over the possibility of facilitating a land swap between both parties as it relates to land holdings at Colongra and Budgewoi.
- 282/14 That Council note that any possible land swap will be subject to significant public engagement and will only proceed if all appropriate approvals are received.

- 283/14 That Council **note** that any proposal to rezone or reclassify the Halekulani Oval will require approval from the NSW Department of Planning and Infrastructure.
- 284/14 That Council **authorise** the General Manager to negotiate an appropriate Memorandum of Understanding with Woolworths that will include but not be limited to the following principles:
- a Woolworths will withdraw its Planning Proposal – Pre-Gateway Review for its land at Colongra (Lot 1 DP 1049201 Scenic Drive).
  - b Woolworths will offer its land at Colongra referred to above to Council in exchange for a portion of the existing Council owned Halekulani Oval subject to Council's land being rezoned and reclassified to operational land.
  - c Woolworths agree to develop a new supermarket on the Halekulani Oval site subject to gaining appropriate planning approvals.
  - d Woolworths will make a contribution (works and/or cash) towards the establishment of a regional sporting complex on the land at Colongra and the adjoining Council and Delta owned land.
  - e Council is successful in negotiating ownership or a long term lease of the Delta lands (Lots 500 and 501 DP 755266) for use as sporting fields.
- 285/14 That Council **commence** the process to reclassify Lot 1 DP 385077 Scenic Drive, Budgewoi (being Halekulani Oval) from Community Land to Operational Land.

FOR: COUNCILLORS BEST, EATON, GRAHAM, TAYLOR, TROY AND WEBSTER  
 AGAINST: COUNCILLORS GREENWALD

### **3.1 Works in Progress - Water Supply and Sewerage**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

- 286/14 That Council **receive** the report on Works in Progress - Water Supply and Sewerage.

### **3.2 Results of Water Quality Testing for Beaches and Lake Swimming Locations**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

- 287/14 That Council **receive** the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

---

**3.3 Activities of the Development Assessment and Building Certification Compliance and Health Units**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

**288/14 That Council receive the report on Activities of the Development Assessment and Building Certification Compliance and Health Units for the month of February 2014.**

---

**3.4 Quarterly Risk Management Report**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

**289/14 That Council receive the Quarterly Risk Management Report and note the current status of high level risks in Wyong Shire Council as at February 2014.**

---

**3.5 Investment Report for February 2014**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

**290/14 That Council receive the Investment Report for February 2014.**

---

**3.6 Outstanding Questions on Notice and Notices of Motion**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor WEBSTER:**

**291/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.**

---

**5.1 Notice of Motion - Development Application 493/2012 Darkinjung Aboriginal Land Council Amended Application Halekulani**

---

Councillor Greenwald left the meeting at 6.35pm and returned to the meeting at 6.36pm during consideration of this item.

Ms Tracy Brown and Ms Jade Hamilton, Residents, addressed the meeting at 6.31pm, answered questions and retired at 6.46pm.

**RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TROY:**

**292/14 That Council note the strong community interest in the original proposal for a 251 Manufactured Home Sites (Caravan Park) on Darkinjung Aboriginal Land at Halekulani.**

**293/14 That Council note that an amended application for that proposal has been submitted.**

- 294/14 *That Council extend the exhibition period for the revised plan for an additional month to provide the local community with adequate time to review and respond to the amended proposal.*
- 295/14 *That Council urgently broaden its formal notification of the amended application to include all 2,157 residents that made a submission to the original proposal.*
- 296/14 *That Council now renotify by mail all those local residents that made submissions.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, TAYLOR, TROY, VINCENT  
AND WEBSTER

AGAINST: NIL

At this stage of the meeting, 7.06pm, the Mayor adjourned the meeting for a period of 3 minutes to allow the public gallery to clear.

The Mayor resumed the meeting at 7.09pm.

### **CONFIDENTIAL SESSION**

Councillor Vincent left the meeting at 7:08pm and returned to the meeting at 7.10pm and as a result took no part in voting.

Councillor Best left the meeting at 7:08pm and returned to the meeting at 7.10pm and as a result took no part in voting.

***RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:***

- 297/14 *That Council move into Confidential Session.*

At this stage of the meeting being 7.10pm Council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

### **OPEN SESSION**

Council resumed in open session at 7.23pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

---

**6.1 Sick Leave Cash-out Option**

---

298/14 That Council write to each of the 117 eligible staff and seek agreement from each to pay out 90% of their current sick leave entitlement during a window of opportunity from 1 May 2014 to 30 June 2014 in return for signing a deed of release waiving any future claims for payout of sick leave on termination, resignation or retirement. The offer to include two options:

- a) Continue with the current frozen entitlement, or
- b) Take 90% of the current entitlement (up to a maximum of 52 weeks) as cash now (with a minimum balance of six weeks maintained upon cash out) and waive any further claims to cashing in sick leave, or place as much as legally possible into superannuation at a reduced rate of tax (15%) via a salary sacrifice deduction and taking the balance as cash and waive any future claims to cashing in sick leave.

6.2 Report on proceedings before the Land and Environment Court of NSW in respect to the refusal of development applications DA/481/2013 and DA/582/2013 – subject to client legal privilege

---

299/14 That Council authorise the General Manager, or his delegate, to participate in the conciliation conferences in proceedings 14/10057 and 14/10058 before the Land and Environment Court of NSW so as to resolve those proceedings substantially in accordance with the following:

- a) In respect to proceedings 14/10057, to refuse the appeal in respect to development application DA/481/2013; and
- b) In respect to proceedings 14/10058, to uphold the appeal and to grant consent to DA/582/2013 subject to the conditions set out in Attachment 1 to this report along with an additional deferred commencement condition that requires the removal of all of the caravans and the mobile home that are subject of DA/481/2013 from the subject site.
- c) That any consent that is negotiated is limited to a 12 month term.

300/14 That Council note the strong community concern over this development.

301/14 That Council note its Legal Advice.

302/14 That Council note the expression of interest in the redevelopment of the site by Retire Australia.

**QUESTIONS ON NOTICE**

There were no Questions on Notice.

**THE MEETING** closed at 7.25pm.

## **1.4 Notice of Intention to Deal with Matters in Confidential Session**

---

TRIM REFERENCE: F2013/02042 - D06173101  
MANAGER: Lesley Crawley, Manager  
AUTHOR: Fiona Kurtz; Councillor Services Officer

### **SUMMARY**

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

### **RECOMMENDATION**

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2c&d)(ii) if the Local Government Act 1993:**
  - 8.1 Council Owned Iconic Development Sites - Wyong, Toukley and The Entrance - Proposals Received**
- 2 That Council note its reason for considering Report No 8.1 Council Owned Iconic Development Sites - Wyong, Toukley and The Entrance - Proposals Received as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and confer a commercial advantage on a competitor of the Council.**
- 3 That Council request the General Manager to report on this matter in open session of Council.**

Note: Explanation - Section 10A of the Local Government Act 1993 states:

- "2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
- (i) prejudice the commercial position of the person who supplied it, or*
  - (ii) confer a commercial advantage on a competitor of the Council, or*

#### **1.4 Notice of Intention to Deal with Matters in Confidential Session (contd)**

---

*(iii) reveal a trade secret,*

*2(e) information that would, if disclosed, prejudice the maintenance of law,*

*2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*

*2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*

*2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.”*

Nil



## **2.1 Draft Development Control Plan 2013: Chapter 6.22 - Glenning Valley**

---

TRIM REFERENCE: RZ/17/2009 - D05476247

MANAGER: Scott Cox, Manager

AUTHOR: Jenny Mewing; Strategic Planner

### **SUMMARY**

This report details the outcomes of the public exhibition of draft Development Control Plan (DCP) 2013, including a new Chapter, draft Chapter 6.22 – Glenning Valley and recommends the adoption of the revised plan.

### **RECOMMENDATION**

- 1 That Council adopt draft Development Control Plan (dDCP) 2013 (Chapter 6.22 - Glenning Valley) and appropriate public and government agency notification be given within 28 days that the draft DCP will come into effect on the date identified within the notice;**
- 2 That Council advise all those who made submissions of Council's decision.**

### **BACKGROUND**

Council considered a Planning Proposal to rezone land at Glenning Valley (11 December 2013 Item 3.3).

Council at its meeting held 11 December 2013 :

*“RESOLVED on the motion of Councillor GRAHAM and seconded by Councillor TAYLOR:*

- 1572/13 That Council resolve to rezone the subject site.*
- 1573/13 That Council request DoPI to prepare a relevant Local Environmental Plan amendment, and that the minister be requested to make the Plan under Section 59 of the EP & A Act, 1979.*
- 1574/13 That Council advise all those who made submissions to the exhibition of the Planning Proposal of Council's decision.*
- 1575/13 That Council publicly exhibit DCP 2013: Development Provisions for Wyong Shire, draft Chapter 6.22 – Glenning Valley to provide guidelines for future development, in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 and associated regulations;*
- 1576/13 That a further report be prepared to advise Council of the submissions received in response to the Draft DCP.”*

A request to draft an instrument and make the plan to rezone the site for low density residential and conservation purposes was made to Planning and Infrastructure (P&I) on 16 December 2013. To date, an instrument has been drafted but not yet made. The instrument will constitute Amendment 1 to Wyong LEP 2013.

In accordance with resolution 1575/13, Draft Development Control Plan (DCP) 2013: draft Chapter 6.22 - Glenning Valley has been prepared and publicly exhibited.

### **CURRENT STATUS**

The draft DCP was publicly exhibited from 22 January until 19 February 2014. This report has been prepared in accordance with resolution 1576/13 above.

### **THE PROPOSAL**

Draft Chapter 6.22 Glenning Valley includes provisions for the future subdivision and development of the site affected by draft Amendment 1 to Wyong LEP 2013. The objectives and provisions therein address the issues raised by submissions in response to the foregoing planning proposal supporting draft Amendment 1 to Wyong LEP 2013.

The objectives of the draft Chapter are:

- To specify requirements for the integrated and orderly development of the site, whilst responding and being sympathetic to its environmental, topographical and visually significant features.
- To protect and enhance significant areas of natural vegetation and wildlife corridor linkages.
- To appropriately integrate development with the existing built and natural environment.
- To provide a high quality and varied residential environment with access to open space, and community facilities.
- To provide attractive streetscapes which reinforce the functions of a street and enhance the amenity of dwellings and the neighbourhood.
- To provide an efficient system of roads and pathways for vehicular, pedestrian and cycle movements that integrates road safety principles.
- To adopt water sensitive urban design that employs best practice in quality and quantity controls.
- To support and encourage various transport initiatives, including public transport.

**CONSULTATION**

Draft DCP 2013: Chapter 6.22 Glenning Valley was publicly exhibited from from 22 January until 19 February 2014.

Notice of the exhibition was placed in the Central Coast Express Advocate on 22 January and 5 February 2014. Exhibition material was available from the following locations:

- Council's Administration Building, Hely St, Wyong;
- Tuggerah Library and Information Centre, Westfield Shopping Centre, Gavenlock Road, Tuggerah; and
- Council's website: <http://www.wyong.nsw.gov.au/about-council/on-public-exhibition/>

Notification of exhibition of the draft DCP was also given (via email or post) to those who made submissions to the related draft LEP amendment.

As a result of the above, four (4) submissions were received. The following table provides a summary of the submissions received, the issues raised therein and how the draft DCP 2013: Chapter 6.22 Glenning Valley has/has not been amended in response.

<b>Document Number</b>	<b>Issues Raised</b>	<b>Response/Amendments</b>
D05787641	Request response regarding future and improvements proposed for land behind houses in Torrellia Way.	Locality plan provided to respondent identifying extent and future proposed land use of subject site. Land north of Torellia Way is not identified for rezoning within the LEP Amendment, whilst land west of Torellia Way is proposed to be rezoned to R2 Low Density Residential.
D058525240	No comment provided for draft DCP. Issues from previous correspondence relating to rezoning remain current.	Issues identified during rezoning process were addressed in item 3.3 (and supporting attachments) of the Business Paper considered by Council on 11 December 2013. Biodiversity offsets are not mandatory at the rezoning stage for non-state significant development. Such issues are required to be further addressed during subsequent Subdivision/Development applications on the subject site.
D05705630	Concerns regarding rezoning of land from Environmental Protection zone (7(f) under Wyong LEP 1991) to enable residential development: - Pollution from run off	Issues identified during rezoning process were addressed in item 3.3 (and supporting attachments) of the Business Paper considered by Council on 11 December 2013.

Document Number	Issues Raised	Response/Amendments
	<ul style="list-style-type: none"> <li>- Age of ecological investigations – impacts on flora and fauna</li> <li>- Traffic generation</li> <li>- Insufficient supporting infrastructure and employment</li> <li>- Alternative suitable locations for residential development in north of shire.</li> </ul>	
D05789812	<p>Proposed amendments to Draft Chapter (as replicated in Attachment 2).</p> <p>Land transfer into Council ownership and management under a Plan of Management</p> <p>Insertion of concept plans prepared for rezoning of subject site</p> <p>Removal of provisions relating to: subdivision design</p> <p>Street layout and design</p> <p>Biodiversity protection and management</p>	<p>Proposed amendments referred to internal specialists for comment (Ecology, Engineering, Planning, Asset Management).</p> <p>Transfer has not been negotiated previously (i.e. during rezoning process). No mechanisms currently in place (e.g. Voluntary Planning Agreement (VPA)) for this to occur. Land Transfer is not supported at this point in time, therefore amendment not supported.</p> <p>Current practice is to exclude layouts from DCP 2013 given applications which propose variations of layouts are problematic to determine; DCPs without layouts provide greater flexibility for applicants; the Concept Plans submitted with the rezoning have not been endorsed in any form with regard to street layout, lot size and orientation, servicing etc.</p> <p>Not supported. These are not replicated elsewhere in DCP 2013.</p> <p>Not supported. These are specific requirements of the Roads and Maritime Services received in response to the draft LEP amendment. These are not replicated elsewhere in DCP 2013.</p> <p>Not supported. These provisions are not replicated elsewhere in DCP 2013. Impacts from the development are required to be assessed under Section 5A of the EP &amp; A Act in lieu of any Biocertification or Biobanking agreement (currently non-existent).</p>

Document Number	Issues Raised	Response/Amendments
	<p>Drainage, stormwater and water cycle management</p> <p>Bushfire management</p> <p>Public open space and parks, landscaping and street trees.</p>	<p>Not supported. These are not replicated elsewhere in DCP 2013 (or associated design guidelines or construction specifications).</p> <p>Amendments accepted provided the only APZs permitted on Council land are to be road reserves (as per the current UIA model under Part 4 – Subdivision of DCP 2013).</p> <p>Not supported. The intent of this provision is to provide for open space areas for the population resulting specifically from the development which has not been addressed by the applicable Section 94 Contribution Plan.</p>

As noted in the table above, Council's Southern Lakes Development Contribution Plan has not considered the development of the subject site. Within the combined Glenning Valley/Berkeley Vale area, the plan estimates only another 58 lots being created.

Assessment of the existing open space and the potential needs of the future population generated by the rezoning of the subject site were undertaken by Parkland Planners (June 2013). This study identified additional usable open space is required to be provided within the subject site, given the expected additional population, in addition to providing embellishment to existing facilities in accordance with the provisions of the Southern Lakes Contribution Plan.

In the absence of the site being within the applicable Section 94 plan or a Voluntary Planning Agreement (VPA) being in place with the proponent for the draft LEP Amendment, additional provisions have been incorporated into the draft plan to require the provision of appropriate open space and recreation facilities.

A number of minor amendments have also been made to the draft chapter to enable greater clarity to some provisions, including road design and street/lot layout.

## CONCLUSION

The Draft DCP 2013: Chapter identifies appropriate provisions for the future subdivision and development of the area proposed to be rezoned by draft Amendment 1 to Wyong LEP 2013. The provisions therein are considered 'site specific' and are not replicated elsewhere within existing Chapters of DCP 2013.

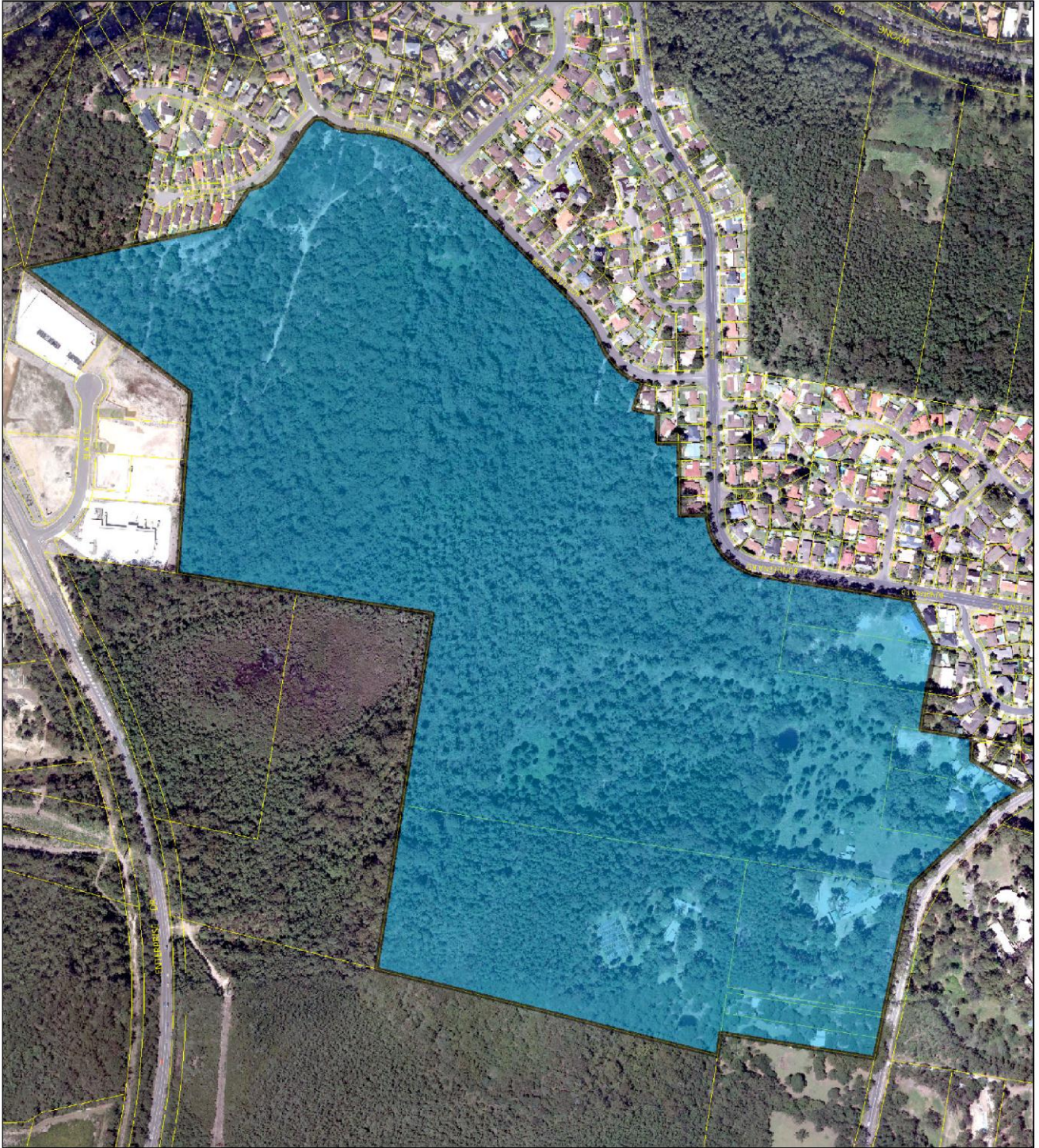
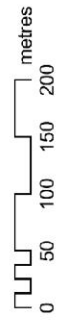
It is recommended that DCP 2013 containing draft Chapter 6.22 – Glenning Valley be adopted.

**ATTACHMENTS**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Locality Plan   | D04358276 |
| <b>2</b> | D05789812 Submission to exhibition of DCP 2013 (Draft Chapter 6.22) | D05916944 |
| <b>3</b> | Draft Chapter 6.22 - Glenning Valley (amended following exhibition) | D06052032 |



**GLENNING VALLEY  
LOCALITY MAP**





## CHAPTER 6.22 GLENNING VALLEY

### 1.0 INTRODUCTION

The purpose of this Chapter is to provide development requirements for land within the Glenning Valley, specifically, land identified within Figure 1. ~~(Please specify, the relevant, references to the LEP Plan (to distinguish provisions relating to the different zones) and the Concept Plan considered by Council in its resolution to support the Draft LEP).~~

The site comprises a ridge line which circumnavigates existing residential development located east of Bundeena Road and Bottlebrush Drive. It is bounded to the north by wetlands, the Enterprise Drive Light Industrial estate, whilst defined by part of Berkeley Road to the South.

Vegetation in the area ~~(importantly 'the area' is not defined and it is ambiguous as to whether this refers to the wider locality; the land as defined in Figure 1 or part of the land as defined in the LEP Zone Map in say a Figure 2), comprises a number of threatened flora communities and individual species, and, in addition provides habitat for state and federally protected fauna, including the White-bellied sea eagle. As well as consisting of Endangered Ecological Communities (EECs), the central portion of the site connects to a state significant wetland. This paragraph requires rewriting if it is to be supported by evidence that meets due diligence procedures. We would submit that that it be amended to read as follows: 'Vegetation in the area comprises threatened vegetation communities and important wetland landscapes. Together these areas provide habitat for important fauna such as the White-bellied sea eagle. In order to protect these important ecological relationships extensive areas of land are set aside for conservation (Figure 2 LEP Map) to be managed by Council under a plan of management'.~~

Formatted: Font: Italic

The development of the site is to be sympathetic to the significant environmental, topographic and visual attributes of the site. Development is to be undertaken in a manner that will ~~enable-not preclude~~ the integration of the site with adjoining land and land uses, and provide a high standard of residential development for present and future residents of the area.

### 1.1 Objectives

- To specify requirements for the integrated and orderly development of the site, whilst responding and being sympathetic to its environmental, topographical and visually significant features.
- To protect and enhance significant areas of natural vegetation and ~~significant relationships~~ ~~wildlife corridor linkages~~.
- To appropriately integrate development with the existing built and natural environment.
- To provide a high quality and varied residential environment with access to open space, and community facilities.
- To provide attractive streetscapes which reinforce the functions of a street and enhance the amenity of dwellings.
- To provide a safe and efficient system of roads and pathways for vehicular, pedestrian and cycle movements.
- To adopt water sensitive urban design that employs best practice in quality and quantity controls.
- To support and encourage various transport initiatives, including public transport.

### 1.2 Land to which this Chapter applies

The land to which this Chapter applies is shown edged heavy black in Figure 1.

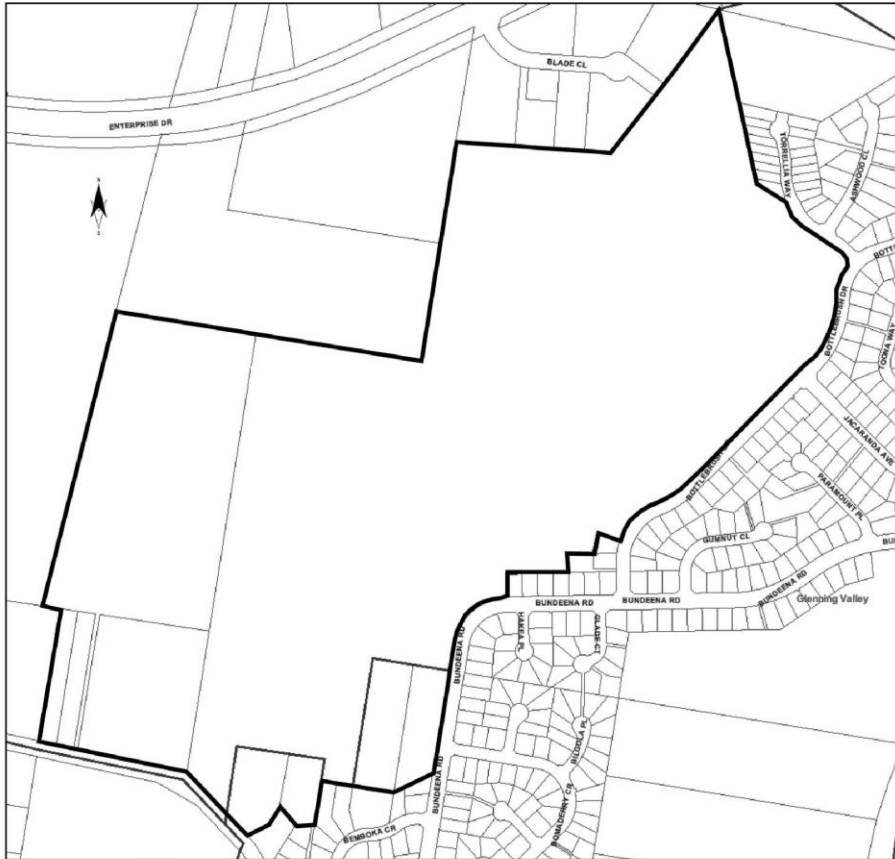


Figure 1 Land within the Glenning Valley Urban Release Area to which Chapter 6.22 applies

**Insert Figure 2 LEP Map?**

### 1.3 Using this Chapter

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.1 – Dwelling Houses and Ancillary Structures
- Chapter 2.3 – Dual Occupancy Development
- Chapter 2.11 – Parking and Access
- Chapter 3.6 – Tree and Vegetation Management
- Chapter 3.10 – Wetlands Management
- Section 4 – Subdivision
- Council's Civil Works Design Guideline and Construction Specification
- Policy L1 – Landscape Guidelines
- Flora and Fauna Guidelines for Development

## 2.0 DEVELOPMENT PRINCIPLES

Land covered by this Chapter should be developed in an orderly and integrated manner.

Applications for subdivision must demonstrate that development of individual landholdings will not preclude compromise the development potential of neighbouring or on adjoining lands holdings. Additionally, applications Applications for subdivisions must also provide for the provision of appropriate servicing, drainage, transport infrastructure and minimise the impacts if constructions of subsequent stages on the community.

This is to be demonstrated by way of a conceptual plan which indicates a potential layout on neighbouring or adjoining lands. This provision duplicates work already undertaken and considered by Council. Rather than reinventing the process in the draft DCP, it is suggested the concept plans either be referred to in the site specific DCP or an amended concept plan/s be included. Such applications for land held in individual ownership must demonstrate that appropriate consultation has been undertaken with other neighbouring or adjoining landholders in accordance with the relevant legislative requirements.

A number of the provisions in Section 2 would appear to be covered in relevant WSC wide controls and provisions. Accordingly, it would appear desirable that the WSC be given precedence and only matters that amend provisions otherwise adopted by Council are included in this DCP.

### 2.1 Subdivision Design

#### OBJECTIVES

- To ensure that any future development of the site:
  - Is sympathetic to site constraints including topography, scenic qualities and areas of significant environmental attributes of the site;
  - Is sympathetic to style and character of adjoining residential development;

- ~~Retains—Considers existing~~ visual amenity from adjoining residential development by incorporating view corridors as illustrated in the Concept Plan;
- Provides transport linkages to surrounding areas and existing community facilities and promotes healthy living by design.
- Promotes a safer road network for all uses
- To encourage subdivision design of high quality, which controls and mitigates the potential environmental impacts arising from development
- To allow for an appropriate mix of lot sizes to provide for a mix of housing types
- To ensure that any subdivision design meets the appropriate requirements of Council
- To ensure that the existing and proposed future character of the area is considered in subdivision works
- To ensure the economic and orderly development of land
- To ensure the provision of appropriate servicing, drainage, transport infrastructure and minimise the impacts if constructions of subsequent stages on the community.

#### REQUIREMENTS

Any applications for the subdivision of the site must:

- a Demonstrate how the application addresses the provisions of Part 4 – Subdivision of this DCP (DCP 2013 – Development Controls for Wyong Shire) and Council's Civil Works – Design Guideline and Construction Specification, in addition to any other requirements of this Chapter.
- b Demonstrate how the application addresses the provisions of Chapter 3.10 – Wetlands Management of this DCP and any other relevant Chapters or Council policies.
- ~~c~~ Include an appropriate staging strategy/plan
- ~~e~~ The following provisions are arguably not guidelines but rather S79© heads of consideration which:
  - ~~i~~ Considers the impacts of construction traffic on road networks and the community within the vicinity of the development and identifies measures to minimise any impacts, including the nomination of selected routes for construction traffic access which avoids completed stages where possible;
  - ~~ii~~ enables the provision of services (including drainage and transport infrastructure) for completed stages, including provision of turning circles for road based services (e.g. garbage trucks);
  - ~~iii~~ identifies emergency access and evacuation arrangements for completed and future stages; and
  - ~~ivd~~ identifies how adjoining stages and other adjoining land zoned for residential development are proposed to be accessed, including potential lot layouts.
- ~~de~~ Provide for larger and irregular shaped lots on steeper slopes to respond to the natural topography, including drainage lines, and vegetation of the site.
- ~~ef~~ Minimise the need for vegetation removal, site excavation for roads and housing construction, significant earthworks; and features such as road cuttings and retaining walls.
- ~~fg~~ Demonstrate how visual amenity from existing developed areas are to be retained, view corridors from surrounding development are to be incorporated as defined in the Concept Plan (Figure 3).

Formatted

- gh Enable passive surveillance of open space/conservation areas.
- hi Provide details of any additional drainage, water and sewer supply, traffic, electricity, gas telecommunication (including National Broadband Network - NBN) infrastructure required to service the development. Any such infrastructure is to be provided in accordance with the relevant Authority's specifications.
- ij Council will consider subdivision/development proposals that involve independent site servicing such as Community Title developments. Any such proposal should be discussed with Council prior to lodgement with specific reference to:
- i any impact on the servicing of surrounding land
  - ii ongoing maintenance
  - iii the range of services that will be maintained totally independent of Council

## 2.2 Street Layout and Design

Formatted: Normal

### OBJECTIVE

- To provide an efficient internal road network addressing road safety that responds to the topography of the site and integrates with the external road network system, including the existing road network's environmental capacity.
- To provide for alternate transport including viable links with existing public transport services and collection points.
- To provide appropriate access for larger and special purpose vehicles including garbage trucks, emergency service vehicles, delivery vehicles and buses
- To establish ~~a flatter hierarchy(?) of streets~~ a road layout which maximises convenience, connectivity, transportation amenity and safety for vehicles, pedestrians and cyclists whilst minimising congestion, and reducing road safety for all users
- To provide a legible, connected and permeable grid of local streets that are sympathetic to the topography terminating with views to open space
- To protect conservation areas through the appropriate location of roads, paths and developable area
- To ensure 'Safer by Design' principles are implemented for personal and property safety and security.
- To promote 'Healthy By Design' principles in subdivision design, in accordance with the guidelines issued by the Premiers Council for Active Living (PCAL), the NSW Heart Foundation and NSW Health

### REQUIREMENTS

- a Any application for subdivision of the site is to include a street layout plan consistent with the requirements of Part 4 Subdivision of this DCP and Council's Civil Works – Design Guideline and Construction Specification.
- b Any application for subdivision of the site must be supported by a Traffic Study prepared in accordance with the Roads and Maritime Services (RMS) 'Guide to Traffic Generating Developments 2002',

- ~~b The provisions below are Section 79C heads of consideration rather than guidelines arguably for inclusion in a DCP, which is to include, but is not limited to:~~
- ~~i Identification of all key vehicular traffic routes and intersections identified by Council or the RMS.~~
  - ~~ii Undertake traffic counts for all of the above traffic routes and intersections.~~
  - ~~iii The anticipated vehicular traffic generated from the proposed lots and all developments on the subject sites.~~
  - ~~iv The distribution on the road network of the trips generated by the proposed development. The predicted traffic flows are to be shown diagrammatically.~~
  - ~~v Consideration of the traffic impacts on existing and proposed intersections and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development. The existing and future environmental (road safety) capacity of the existing road network is also required to be addressed. Issues to be considered should include (but are not limited to) additional traffic, vehicle speeds, pedestrians and cyclists, traffic calming, bus crossings and stops and lot accessibility.~~
- ~~The study shall also give consideration to the cumulative traffic impacts of other proposed and approved developments in the area.~~
- ~~vi Identify the necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network. Preliminary concept drawings shall be submitted with the development application for any identified road infrastructure upgrades. Any upgrades proposed shall be required to meet the satisfaction of the Roads and Maritime Services (RMS).~~
  - ~~vii Traffic analysis of any major/relevant intersections, using SIDRA or similar traffic model, including:
 
    - ~~• Current traffic counts and 10 year background traffic growth projections at an annual growth rate determined by Council~~
    - ~~• With and without development scenarios considered~~
    - ~~• 95<sup>th</sup> percentile back of queue lengths~~
    - ~~• Average delay and level of service on all legs for the relevant intersections~~
    - ~~• Electronic input/output data files.~~~~
  - ~~viii Identify and assess impacts on local, state and regional road networks in the vicinity of the development (addressing both the movement of people and goods), and~~
  - ~~ix identify how it is intended to encourage people from the proposed development to walk, cycle and use Public Transport in lieu of the private motor vehicle and if possible reduce the demand for travel by private and commercial vehicle. Documentation is to be provided which demonstrates consultation with the local Bus Company has been undertaken and the proposed network is serviceable by busses.~~
  - ~~x The study is to include, but not be limited to:
 
    - ~~• Identifying the package of appropriate transport measures (including infrastructure, services and demand management initiatives) for the proposed development, that will help manage the demand for travel to and from the proposed development.~~
    - ~~• Identifying existing bus stops, shelters and routes.~~~~

Formatted



~~Identifying pedestrian/cycleway desire lines to Public Transport, schools, shops, parks etc and distances to these facilities.~~

~~c~~

Formatted: English (Australia)

~~ed~~ Footpaths and cycleways and or shared pathways are required to be provided in accordance with the provisions of Part 4 Subdivision of this DCP.

~~de~~ Cycleways and or shared pathways and footpaths are to be located to provide appropriate linkages to existing residential areas, as well as internal and external community and open space facilities and as required to address any of the above

~~ef~~ ~~Individual lot access to Berkeley Road is not permitted. All Lots~~ which front Berkeley Road are to be ~~preferably~~ accessed via the internal road network ~~as illustrated in the Concept Plan.~~

~~fg~~ Only one proposed intersection with Berkeley Road for access to the internal road network will be permitted. The intersection is to be located in a position which provides adequate safe intersection sight distance and enables safe access and egress to the site, as well as providing for cyclists and pedestrians (if required)

~~gh~~ The design and construction of roads, drainage, cycleways and or shared pathways and pedestrian paths is to be in accordance with Part 4 Subdivision of this DCP, Council's Civil Works Design Guidelines and Construction Specifications and any relevant Austroads Standards.

## 2.3 Biodiversity Protection and Management

### OBJECTIVES

- ~~▪ To ensure the protection and maintain the integrity of Local, State and Federally significant vegetation and fauna habitats within and adjoining the site.~~
- ~~▪ Protect wildlife corridors, Endangered Ecological Communities and threatened species.~~
- ~~▪ These provisions are already covered by relevant State Legislation, the LEP Provisions for the relevant zones and Council's DCP for the Municipality. Instead suggest the DCP refers to the Council DCP for Biodiversity Protection and Management rather than restate.~~

Formatted: No bullets or numbering

### REQUIREMENTS

~~a~~ Any application for subdivision of the site is to address the requirements of Part 4 Subdivision of this DCP.

~~b~~ ~~Incorporate the wetland as defined in the Concept Plan as part of biodiversity protection and management.~~

~~b~~ Any application for subdivision must include a comprehensive Flora and Fauna Assessment prepared in accordance with Council's 'Flora and Fauna Guidelines for Development'. ~~The Assessment must:~~

~~i~~ ~~identify the location of any vegetation communities, threatened flora and fauna species and/or habitat of local, state or Federal significance;~~

Formatted

~~ii~~ ~~include a Squirrel Glider habitat assessment in accordance with Council's 'Squirrel Glider Conservation Management Plan';~~

- ~~iii identify the potential impacts of the proposal on any vegetation communities, threatened flora and fauna species and/or habitat of local, state or Federal significance, and the significance of those impacts;~~
- ~~ivc recommend appropriate strategies and/or requirements to ensure the protection and integrity of all significant habitats and vegetation, within and adjoining the site, consistent with relevant legislation and best practice methodologies.~~
- ~~ed All development is to be consistent with any requirements for Biodiversity Certification or offset strategy which may (or may not) apply to the site.~~
- ~~de Future development applications may be supported by environmental offset strategies (to improve certainty of development outcomes). These may involve external offsets to the site which could result in additional natural areas being set aside. This provision does not reflect contemporary approaches to ecological offsets. The suggestion is that for clarity and community understanding the following provision should be included: 'In the event that an offset determination is made under the provisions of bio-certification as defined by Part 7AA of the Threatened Species Conservation Act 1995 then a Species Impact Statement would not be required.'~~
- ~~f All development is to demonstrate consistency with the objectives and requirements of the Chapter 3.10 Wetlands Management of this DCP.~~
- ~~eg **GVP requests that the provisions included above be reviewed as to their consistency with the reply from the Chief Planner Ms L Armstrong to Councillors questions re conservation matters and on public record (available in transcript from the meeting at which the Planning Proposal was considered in December 11, 2013).**~~

Formatted: Font: Bold

*NOTE: The subject land has been rezoned without having an approved environmental offset strategy to achieve an "maintain/improve outcome". Impacts arising from developing the residential zoned land will need to be assessed at the development application and address relevant requirements under Section 5A of the Environmental Planning and Assessment Act, 1979.*

*The objective of s. 5A of the Environmental Planning and Assessment Act 1979 (EP&A Act), the assessment of significance, is to improve the standard of consideration afforded to threatened species, populations and ecological communities, and their habitats through the planning and assessment process, and to ensure that the consideration is transparent. If a "significant" impact on threatened species, populations, ecological communities, or its habitat is likely to occur, the proposal will be required to be supported by a Species Impact Statement and will require the concurrence of the Office of Environment and Heritage which may result in the modification of the proposal.*

## 2.4 Drainage, Stormwater and Water Cycle Management

### OBJECTIVE

- To ensure the protection and maintain the integrity of Local, State and Federally significant vegetation and fauna habitats ~~within and adjoining the site.~~
- To ensure the integrity and functionality of existing stormwater management devices and systems within the vicinity of the site ~~(specify vicinity?).~~
- To provide water quality and quantity control measures ~~that are cost effective and affordable,~~ with consideration given to safety, ongoing operation and maintenance access and costs.
- To safeguard the environment by ~~improving-controlling~~ the quality of stormwater run-off to achieve best practice standards.



- To facilitate the inclusion of water sensitive urban design (WSUD) elements into development as an at source treatment of stormwater where possible whilst balancing with end of line water quality treatment devices.
- To limit erosion of watercourses, slopes and banks due to runoff from impervious areas within the development.
- To maintain ~~and improve~~ water quality in receiving waters and groundwater systems.
- To manage flood risk in urban areas and downstream water bodies by adopting requirements for minor and major system flow in accordance with Australian Rainfall & Runoff.
- To protect ~~and restore~~ aquatic and riparian ecosystems and habitats.
- To protect the scenic, landscape and recreational values of streams and water bodies.

## REQUIREMENTS

- a Any application for subdivision of the site is to address the requirements of Part 4 Subdivision of this DCP and Council's Civil Works – Design Guideline and Construction Specification.
- ~~b Any application for subdivision is to include a Stormwater Management Plan (refer to guidelines). The following provisions are Section 79c heads of consideration rather than guidelines to be included in a 'development control plan'. The plan is to also include a written report with plans detailing stormwater quality control measures. The report is to include the following:~~
- ~~i existing drainage pattern, identify receiving environments, flow details, all natural water courses and channels on site;~~
  - ~~ii description and illustration of the proposed development;~~
  - ~~iii the location of all points of discharge from the site, overflows and pipes;~~
  - ~~iv evaluation of site conditions e.g. soils, groundwater, vegetation etc and documentation of constraints and opportunities;~~
  - ~~v the extents of 1% ARI flood affectation from external gullies, creeks and waterways;~~
  - ~~vi identify relevant objectives that apply and demonstrate through modelling results and/or other means how these objectives have been satisfied;~~
  - ~~vii modelling and concept design of stormwater quality, hydrology and waterway stability measures. Location, size and configuration of stormwater treatment elements are to be specified together with the proposed or altered drainage pattern. Areas bypassing and treatment are to be clearly identified; and~~
  - ~~viii Identify maintenance requirements for the components including; maintenance frequency, safety issues, equipment required, vehicular access and maintenance cost estimates.~~
- c WSUD elements must be provided to control suspended solids and nutrients leaving the development area ~~and the drainage system shall ensure that no runoff leaves residential zoned land other than via water quality control structures.~~ Placement and construction of drainage, constructed wetlands and other IWCM infrastructure is to be sensitively located and designed and landscaped to enhance habitat values for threatened amphibians and mitigate identified Key Threatening Processes (eg Gambusia and frog chytrid).

Formatted

## 2.5 Bushfire Management

### OBJECTIVE

- To minimise the risk of adverse impact of bushfires on life, property and the environment.
- To enable appropriate bushfire protection without unreasonably compromising the biodiversity and landscape values of the area.

### REQUIREMENTS

- a Any application for subdivision is to include a Bushfire Risk Management plan. The plan is to be consistent with the provisions and requirements of the following:
  - i Planning for Bushfire Protection 2006;
  - ii Australian Standard 3959:2009 (as updated); and
  - iii Part 4 – Subdivision of this DCP.
- b The lot layout plan is to indicate the proposed points of access to the site for emergency access and point of egress for occupants.

~~c In relation to to clauses c and d below, it is suggested that that it would be wise to reflect the practical reality that streets adjoining bushland will be used as insitu asset protection zones. Therefore the future development of public roads will require development consent and then 'transfer' of the private land for the specific purpose of a road. Therefore the need for an owner's consent (e. Wyong Council) for an APZ after development consent is unnecessary. This wording in the aforementioned provisions should either be amended accordingly or preferably be deleted. Instead it could be stated that in the interest of effective integrated landscape management (refer to 'Urban Interface Model' WSC) the use of lands for stormwater management should be considered for bushfire hazard management to form asset protection zones. This would be consistent with the bushfire and stormwater studies undertaken for the land.~~

~~c— Where possible streets are to be used to form part of asset protection zones (APZs)~~

~~d— APZs are not to be located on Council land without the express consent of Council.~~

## 2.6 Visual Significance

### OBJECTIVE

- To retain ~~the existing bushland view view corridors~~ to the subject site area from adjoining residential development located on Bottlebrush Drive and Bundeena Roads. ~~The provision as it stands is unreasonable in the context of the rezoning decision by Council.~~

### REQUIREMENTS

- a Any application for subdivision of the site which proposes allotments which shares a boundary with Bundeena Road or Bottlebrush Road is to provide for ~~a mix of larger lots~~ ~~to where relevant for view corridor enhancement, enable vegetation retention on site as illustrated in the Concept Plan.~~

## 2.7 Public Open Space and Parks, Landscaping and Street Trees

## OBJECTIVES

- To provide open space for the active and passive recreational needs of residents
- To maintain the environmental and visual character of the existing landscape.
- To retain native vegetation.

## REQUIREMENTS

- a Any application for subdivision of the site is to address the requirements of Part 4 Subdivision of this DCP and Council's Civil Works – Design Guideline and Construction Specification.
- b ~~A minimum of 10,000m<sup>2</sup> is to be provided within the subject site in accordance with the provisions of Council's Southern Lakes Section 94 Contribution Plan for the purposes of providing for the passive and active recreation. Provisions b,c and d are arguably matters addressed in WSC Contributions Plan rather than a DCP and as such should be deleted from the DCP.~~
- c ~~These space is to be provided in the form of two 5,000m<sup>2</sup> parks. These are to be located in the most accessible areas of the site in the vicinity of Bottlebrush Drive/Jacaranda Avenue, as well as within a centralised area within the western portion of the site.~~
- d ~~These areas are to comprise a children's play area, picnic and barbeque area, including covered shelters, grass kick around area, and landscaping.~~
- ec These areas are to be accessible by residents from adjoining development areas, provided by pedestrian and cycle linkages.
- fd Walking paths within semi natural areas proposed for stormwater management should also be provided.
- ge Any landscaping, including the provision of street trees is to be consistent with the provisions of Council's Landscaping Guidelines, Policy L1.
- hf Subdivision design should consider potential sites for the location of community gardens on land that would be easily accessible to residents and as guided by Council Policy C7 – Community Gardens.

## 2.10 Noise

### OBJECTIVE

- To ensure future residents are protected from noise emanating from the Blade Close/Enterprise Drive Industrial area.

### REQUIREMENTS

- a Applications for subdivision are to be supported by a satisfactory noise study and report prepared by a suitably qualified and experienced acoustic consultant. ~~This does not appear to take into account the studies that have already been undertaken and considered in the definition of zone boundaries.~~
- b The report is to identify any necessary acoustic control measures to be incorporated into the design of future development to achieve the noise levels specified in Chapter 2.1 Dwelling Houses and Ancillary Structures, that do not compromise the integrity of the overall development design or the landscape values of the land to which this plan applies.

## 2.11 Contamination

### OBJECTIVE

- To ensure that land proposed for development does not prevent a risk to future occupants and is of a suitable quality for the intended purpose.

### REQUIREMENTS

- a Any application for the subdivision of Lot 22 DP 740435, Lot 1112 DP 1143167, Lot 52 DP 1039187, Lot 1111 DP 1143167, Lot 21 DP 740435, Lot 455 DP 786675, Lot 513 DP 500951, Lot 4 DP 1078468 and Lot 511 DP 205919 is to be accompanied by a preliminary Phase 1 Contamination report prepared by a suitably qualified consultant. It should be expressly noted that Phase 1 Contamination Report has been undertaken for the GVP land consistent with the Managing Land Contamination Planning Guidelines et al.
- b The report is to be consistent with the requirements of the Managing Land Contamination planning guidelines, 1998 (as updated) prepared by the (then) Department of Urban Affairs and Planning.

*Note: This is supplementary information provided for applicants and landowners. All development proposals must consider all relevant Council and State Government Policy including SEPP 55- Remediation of Land and Council Policy P1- Potentially Contaminated Land.*

## 2.12 Residential Development

### OBJECTIVES

- a To ensure that development applications for development in low density residential areas are consistent with the relevant plans and policies of Council and are fit for use
- b To ensure that consideration of the current and future character of the area is adequately considered in the assessment of Development Applications

### REQUIREMENTS

- a Development Applications for detached dwellings houses are to adopt the provisions of DCP 2013 Chapter 2.1 – Dwelling Houses and Ancillary Structures.
- b Development Applications for dual occupancy development are to adopt the provisions of DCP 2013 Chapter 2.3 – Dual Occupancy Development.
- c Small Lot Development - Development Applications proposing to use the provisions for variation to minimum lot size requirements for the R2 Zone under WLEP 2013 for development other than dual occupancy development are to adopt the provisions for Small Lot Housing Development as referred to under DCP 2013 Part 4 – Subdivision.
- ed There appears to be no reference to the NSW State Government complying development et al and relevantly the Codes SEPP

*Note: Small Lot Housing consists of a minimum of 5 or more development lots*

## 2.13 Aboriginal Heritage

### OBJECTIVES

- To provide proponents with information that can be used to supplement the requirement to consider Indigenous Heritage in preparing a development application.

### REQUIREMENTS

- a Any application for the subdivision must include the results of a review of the Aboriginal Heritage Information Management System (AHIMS) to identify any known Aboriginal Sites that may be impacted by the development proposal.
- b No development is to be undertaken or approved in the vicinity of identified sites before a Cultural Heritage Management Plan has been prepared by a suitably qualified ~~person~~archaeologist.

*Note: Consultation of the AHIMS does not assume other cultural or archaeological evidence does not occur within the Study area and does not relieve the applicant of the need to undertake appropriate additional investigations and studies where required.*

# CHAPTER 6.22 GLENNING VALLEY

## 1.0 INTRODUCTION

The purpose of this Chapter is to provide development requirements for land within the Glenning Valley, specifically, land identified within Figure 1.

The site comprises a ridge line which circumnavigates existing residential development located east of Bundeena Road and Bottlebrush Drive. It is bounded to the north by wetlands, the Enterprise Drive Light Industrial estate, whilst defined by part of Berkeley Road to the South.

Vegetation in the area comprises a number of threatened flora communities and individual species, and, in addition provides habitat for state and federally protected fauna, including the White-bellied sea eagle. As well as consisting of Endangered Ecological Communities (EECs), the central portion of the site connects to a state significant wetland.

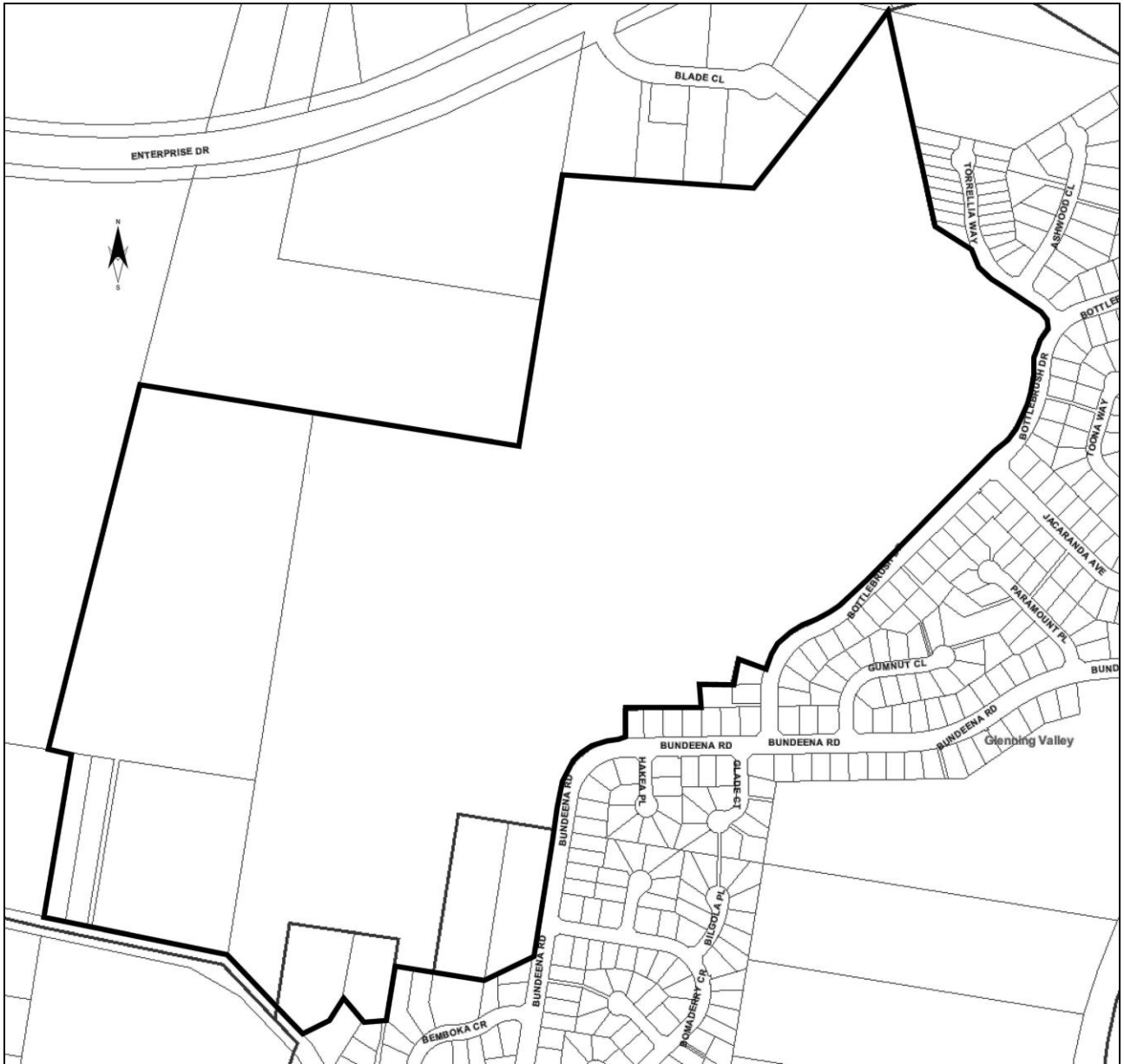
The development of the site is to be sympathetic to the significant environmental, topographic and visual attributes of the site. Development is to be undertaken in a manner that will enable the integration of the site with adjoining land and land uses, and provide a high standard of residential development for present and future residents of the area.

## 1.1 Objectives

- To specify requirements for the integrated and orderly development of the site, whilst responding and being sympathetic to its environmental, topographical and visually significant features.
- To protect and enhance significant areas of natural vegetation and wildlife corridor linkages.
- To appropriately integrate development with the existing built and natural environment.
- To provide a high quality and varied residential environment with access to open space, and community facilities.
- To provide attractive streetscapes which reinforce the functions of a street and enhance the amenity of dwellings and the neighbourhood
- To provide an efficient system of roads and pathways for vehicular, pedestrian and cycle movements that integrates road safety principles.
- To adopt water sensitive urban design that employs best practice in quality and quantity controls.
- To support and encourage various transport initiatives, including public transport.

## 1.2 Land to which this Chapter applies

The land to which this Chapter applies is shown edged heavy black in Figure 1.



Not to Scale

Figure 1 Land within the Glenning Valley Urban Release Area to which Chapter 6.22 applies



## 1.3 Using this Chapter

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.1 – Dwelling Houses and Ancillary Structures
- Chapter 2.3 – Dual Occupancy Development
- Chapter 2.11 – Parking and Access
- Chapter 3.6 – Tree and Vegetation Management
- Chapter 3.10 – Wetlands Management
- Section 4 – Subdivision
- Council’s Civil Works Design Guideline and Construction Specification
- Policy L1 – Landscape Guidelines
- Flora and Fauna Guidelines for Development

## 2.0 DEVELOPMENT PRINCIPLES

Land covered by this Chapter should be developed in an orderly and integrated manner.

Applications for subdivision must demonstrate that development of individual landholdings will not compromise the development potential of neighbouring or adjoining land holdings. Additionally, applications for subdivisions must also provide for the provision of appropriate servicing, drainage, transport infrastructure and minimise the impacts if constructions of subsequent stages on the community.

This is to be demonstrated by way of a conceptual plan which indicates a potential layout on neighbouring or adjoining lands. Such applications for land held in individual ownership must demonstrate that appropriate consultation has been undertaken with other neighbouring or adjoining landholders.

### 2.1 Subdivision Design

#### OBJECTIVES

- To ensure that any future development of the site:
  - Is sympathetic to site constraints including topography, scenic qualities and areas of significant environmental attributes of the site;
  - Is sympathetic to style and character of adjoining residential development;
  - Retains existing visual amenity from adjoining residential development;
  - Provides transport linkages to surrounding areas and existing community facilities and promotes healthy living by design.
  - Includes the consideration of safe systems principles in providing a safer road network for all users.
- To encourage subdivision design of high quality, which controls and mitigates the potential environmental impacts arising from development



- To allow for an appropriate mix of lot sizes to provide for a mix of housing types
- To ensure that any subdivision design meets the appropriate requirements of Council
- To ensure that the existing and proposed future character of the area is considered in subdivision works
- To ensure the economic and orderly development of land
- To ensure the provision of appropriate servicing, drainage, transport infrastructure and minimise the impacts if constructions of subsequent stages on the community.

## REQUIREMENTS

Any applications for the subdivision of the site must:

- a Demonstrate how the application addresses the provisions of Part 4 – Subdivision of this DCP (DCP 2013 – Development Controls for Wyong Shire) and Council’s Civil Works – Design Guideline and Construction Specification, in addition to any other requirements of this Chapter.
- b Demonstrate how the application addresses the provisions of Chapter 3.10 – Wetlands Management of this DCP and any other relevant Chapters or Council policies.
- c Include an appropriate staging strategy/plan which:
  - i Considers the impacts of construction traffic on road networks and the community within the vicinity of the development and identifies measures to minimise any impacts, including the nomination of selected routes for construction traffic access which avoids completed stages where possible;
  - ii enables the provision of services (including drainage and transport infrastructure) for completed stages, including provision of turning circles for road based services (e.g. garbage trucks);
  - iii identifies emergency access and evacuation arrangements for completed and future stages; and
  - iv identifies how adjoining stages and other adjoining land zoned for residential development are proposed to be accessed, including potential lot layouts.
- d Demonstrate how the application addresses safe system principles.
- e Provide for larger shaped lots on steeper slopes to respond to the natural topography, including drainage lines, and vegetation of the site.
- f Minimise the need for vegetation removal, site excavation for roads and housing construction, significant earthworks; and features such as road cuttings and retaining walls.
- g Demonstrate how visual amenity from existing developed areas are to be retained.
- h Enable passive surveillance of open space/conservation areas.
- i Provide details of any additional drainage, water and sewer supply, traffic, electricity, gas telecommunication (including National Broadband Network - NBN) infrastructure required to service the development. Any such infrastructure is to be provided in accordance with the relevant Authority’s specifications.
- j Council will consider subdivision/development proposals that involve independent site servicing such as Community Title developments. Any such proposal should be discussed with Council prior to lodgement with specific reference to:

- i any impact on the servicing of surrounding land
- ii ongoing maintenance
- iii the range of services that will be maintained totally independent of Council

## 2.2 Street Layout and Design

### OBJECTIVE

- To provide an efficient internal road network addressing safe system principles that respond to the topography of the site and integrates with the external road network system, including the existing road network's environmental capacity.
- To provide for alternate transport including viable links with existing public transport services and collection points.
- To provide appropriate access for larger and special purpose vehicles including construction traffic, garbage trucks, emergency service vehicles, delivery vehicles and buses
- To establish a road layout which maximises convenience, connectivity, transportation amenity and road safety for vehicles, pedestrians and cyclists whilst minimising congestion, and traffic amenity for all users, including existing road networks.
- To provide a legible, connected and permeable modified grid of local streets minimising cross intersections that are sympathetic to the topography terminating with views to open space
- To protect conservation areas through the appropriate location of roads, paths, developable and construction areas
- To ensure 'Safer by Design' principles are implemented for personal and property safety and security.
- To promote 'Healthy By Design' principles in subdivision design, in accordance with the guidelines issued by the Premiers Council for Active Living (PCAL), the NSW Heart Foundation and NSW Health

### REQUIREMENTS

- a Any application for subdivision of the site is to include a street and lot layout plan consistent with the requirements of Part 4 Subdivision of this DCP and Council's Civil Works – Design Guideline and Construction Specification.
- b Any application for subdivision of the site must be supported by a Traffic Study prepared in accordance with the Roads and Maritime Services (RMS) 'Guide to Traffic Generating Developments 2002', and RMS Supplement TDT 2013/04a, which is to include, but is not limited to:
  - i Identification of all key vehicular traffic routes and intersections identified by Council or the RMS.
  - ii Undertake traffic counts for all of the above traffic routes and intersections.
  - iii The anticipated vehicular traffic generated from the proposed lots and all developments on the subject sites.
  - iv The distribution on the road network of the trips generated by the proposed development. The predicted traffic flows are to be shown diagrammatically.

- v Consideration of the traffic impacts on existing and proposed intersections and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development. The existing and future environmental (road safety) capacity of the existing road network is also required to be addressed. Issues to be considered should include (but are not limited to) additional traffic, vehicle speeds, pedestrians and cyclists, traffic calming, bus crossings and stops and lot accessibility.

The study shall also give consideration to the cumulative traffic impacts of other proposed and approved developments in the area.

- vi Identify the necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network. Preliminary concept drawings shall be submitted with the development application for any identified road infrastructure upgrades. Any upgrades proposed shall be required to meet the satisfaction of the Roads and Maritime Services (RMS).

- vii Traffic analysis of any major/relevant intersections, using SIDRA or similar traffic model, including:

- Current traffic counts and 10 year background traffic growth projections at an annual growth rate determined by Council
- With and without development scenarios considered
- 95<sup>th</sup> percentile back of queue lengths
- Average delay and level of service on all legs for the relevant intersections
- Electronic input/output data files.

- viii Identify and assess impacts on local, state and regional road networks in the vicinity of the development (addressing both the movement of people and goods), and

- ix identify how it is intended to encourage people from the proposed development to walk, cycle and use Public Transport in lieu of the private motor vehicle and if possible reduce the demand for travel by private and commercial vehicle. Documentation is to be provided which demonstrates consultation with the local Bus Company has been undertaken and the proposed network is serviceable by busses.

- x The study is to include, but not be limited to:

- Identifying the package of appropriate transport measures (including infrastructure, services and demand management initiatives) for the proposed development, that will help manage the demand for travel to and from the proposed development.
- Identifying existing bus stops, shelters and routes.
- Identifying pedestrian/cycleway desire lines to Public Transport, schools, shops, parks etc and distances to these facilities.

- c Footpaths and cycleways and or shared pathways are required to be provided in accordance with the provisions of Part 4 Subdivision of this DCP.

- d Cycleways and or shared pathways and footpaths are to be located to provide logical and coherent linkages to existing residential areas, as well as internal and external community and open space facilities and as required to address any of the above

- e Individual lot access to Berkeley Road is not permitted. All lots which front Berkeley Road are to be accessed via the internal road network.

- f Only one proposed intersection with Berkeley Road for access to the internal road network will be permitted. The intersection is to be located in a position which provides adequate safe intersection sight distance and enables safe access and egress to the site, as well as providing for cyclists and pedestrians (if required)
- g The design and construction of roads, drainage, cycleways and or shared pathways and pedestrian paths is to be in accordance with Part 4 Subdivision of this DCP, Council's Civil Works Design Guidelines and Construction Specifications and any relevant Austroads Standards.

## 2.3 Biodiversity Protection and Management

### OBJECTIVES

- To ensure the protection and maintain the integrity of Local, State and Federally significant vegetation and fauna habitats within and adjoining the site.
- Protect wildlife corridors, Endangered Ecological Communities and threatened species.

### REQUIREMENTS

- a Any application for subdivision of the site is to address the requirements of Part 4 Subdivision of this DCP.
- b Any application for subdivision must include a comprehensive Flora and Fauna Assessment prepared in accordance with Council's 'Flora and Fauna Guidelines for Development'. The Assessment must:
  - i identify the location of any vegetation communities, threatened flora and fauna species and/or habitat of local, state or Federal significance;
  - ii include a Squirrel Glider habitat assessment in accordance with Council's 'Squirrel Glider Conservation Management Plan';
  - iii identify the potential impacts of the proposal on any vegetation communities, threatened flora and fauna species and/or habitat of local, state or Federal significance, and the significance of those impacts;
  - iv recommend appropriate strategies and/or requirements to ensure the protection and integrity of all significant habitats and vegetation, within and adjoining the site, consistent with relevant legislation and best practice methodologies.
- c All development is to be consistent with any requirements for Biodiversity Certification or offset strategy which may (or may not) apply to the site.
- d Future development applications may be supported by environmental offset strategies (to improve certainty of development outcomes). These may involve external offsets to the site which could result in additional natural areas being set aside.
- e All development is to demonstrate consistency with the objectives and requirements of the Chapter 3.10 Wetlands Management of this DCP.

*NOTE: The subject land has been rezoned without having an approved environmental offset strategy to achieve an "maintain/improve outcome". Impacts arising from developing the residential zoned land will need to be assessed at the development application and address relevant requirements under Section 5A of the Environmental Planning and Assessment Act, 1979.*

*The objective of s. 5A of the Environmental Planning and Assessment Act 1979 (EP&A Act), the assessment of significance, is to improve the standard of consideration afforded to threatened species, populations and ecological communities, and their habitats through the planning and assessment process, and to ensure that the consideration is transparent.*

*If a "significant" impact on threatened species, populations, ecological communities, or its habitat is likely to occur, the proposal will be required to be supported by a Species Impact Statement and will require the concurrence of the Office of Environment and Heritage which may result in the modification of the proposal.*

## 2.4 Drainage, Stormwater and Water Cycle Management

### OBJECTIVE

- To ensure the protection and maintain the integrity of Local, State and Federally significant vegetation and fauna habitats within and adjoining the site.
- To ensure the integrity and functionality of existing stormwater management devices and systems within the vicinity of the site.
- To provide water quality and quantity control measures that are cost effective and affordable, with consideration given to safety, ongoing operation and maintenance access and costs.
- To safeguard the environment by improving the quality of stormwater run-off to achieve best practice standards.
- To facilitate the inclusion of water sensitive urban design (WSUD) elements into development as an at source treatment of stormwater whilst balancing with end of line water quality treatment devices.
- To limit erosion of watercourses, slopes and banks due to runoff from impervious areas within the development.
- To maintain and improve water quality in receiving waters and groundwater systems.
- To manage flood risk in urban areas and downstream water bodies by adopting requirements for minor and major system flow in accordance with Australian Rainfall & Runoff and risk based best practice
- To protect and restore aquatic and riparian ecosystems and habitats.
- To protect the scenic, landscape and recreational values of streams and water bodies.

### REQUIREMENTS

- a Any application for subdivision of the site is to address the requirements of Part 4 Subdivision of this DCP and Council's Civil Works – Design Guideline and Construction Specification.
- b Any application for subdivision is to include a Stormwater Management Plan. The plan is to also include a written report with plans detailing stormwater quality control measures. The report is to include the following:
  - i existing drainage pattern, identify receiving environments, flow details, all natural water courses and channels on site;
  - ii description and illustration of the proposed development;
  - iii the location of all points of discharge from the site, overflows and pipes;
  - iv evaluation of site conditions e.g. soils, groundwater, vegetation etc and documentation of constraints and opportunities;
  - v the extents of 1% ARI flood affectation from external gullies, creeks and waterways;

- vi identify relevant objectives that apply and demonstrate through modelling results and/or other means how these objectives have been satisfied;
  - vii modelling and concept design of stormwater quality, hydrology and waterway stability measures. Location, size and configuration of stormwater treatment elements are to be specified together with the proposed or altered drainage pattern. Areas bypassing and treatment are to be clearly identified; and
  - viii Identify maintenance requirements for the components including; maintenance frequency, safety issues, equipment required, vehicular access and maintenance cost estimates.
- c WSUD elements must be provided to control suspended solids and nutrients leaving the development area and the drainage system shall ensure that no runoff leaves residential zoned land other than via water quality control structures. Placement and construction of drainage, constructed wetlands and other IWCM infrastructure is to be sensitively located and designed and landscaped to enhance habitat values for threatened amphibians and mitigate identified Key Threatening Processes (eg Gambusia and frog chytrid).

## 2.5 Bushfire Management

### OBJECTIVE

- To minimise the risk of adverse impact of bushfires on life, property and the environment.
- To enable appropriate bushfire protection without unreasonably compromising the biodiversity and landscape values of the area.

### REQUIREMENTS

- a Any application for subdivision is to include a Bushfire Risk Management plan. The plan is to be consistent with the provisions and requirements of the following:
- i Planning for Bushfire Protection 2006;
  - ii Australian Standard 3959:2009 (as updated); and
  - iii Part 4 – Subdivision of this DCP.
- b The lot layout plan is to indicate the proposed points of access to the site for emergency access and point of egress for occupants.

## 2.6 Visual Significance

### OBJECTIVE

- To retain the existing bushland views to the subject site area from adjoining residential development located on Bottlebrush Drive and Bundeena Roads

### REQUIREMENTS

- a Any application for subdivision of the site which proposes allotments which shares a boundary with Bundeena Road or Bottlebrush Road is to provide for larger lots to enable vegetation retention on site.

## 2.7 Public Open Space and Parks, Landscaping and Street Trees

## OBJECTIVES

- To provide open space for the active and passive recreational needs of residents
- To maintain the environmental and visual character of the existing landscape.
- To retain native vegetation.

## REQUIREMENTS

- a Any application for subdivision of the site is to address the requirements of Part 4 Subdivision of this DCP and Council's Civil Works – Design Guideline and Construction Specification.
- b Open space is to be provided within the locality at no cost to Council:

Type of open space	Requirement
<b>Park</b>	<ul style="list-style-type: none"> <li>- 0.5 hectares minimum</li> <li>- Must comprise play equipment, kickaround space, practice wall, seating, picnic tables, barbecues, multi-purpose court (refer to Courts below).</li> <li>- to be located in the most accessible areas of the site on land which is flood free, has two (2) road frontages and is accessible where possible by residents from adjoining development areas, provided by pedestrian and cycle linkages.</li> </ul>
<b>Semi-natural open space</b>	<ul style="list-style-type: none"> <li>- Walking tracks in bushland and semi natural areas proposed for stormwater management / pedestrian access to wetland.</li> <li>- Access to and opportunities to use and enjoy public semi-natural open space</li> </ul>
<b>Courts</b>	<ul style="list-style-type: none"> <li>- 1 multi-purpose court (1,000m<sup>2</sup> with surrounds)</li> </ul>

- c Any landscaping, including the provision of street trees is to be consistent with the provisions of Council's Landscaping Guidelines, Policy L1.
- d Subdivision design should consider potential sites for the location of community gardens on land that would be easily accessible to residents and as guided by Council Policy C7 – Community Gardens.

## 2.10 Noise

### OBJECTIVE

- To ensure future residents are protected from noise emanating from the Blade Close/Enterprise Drive Industrial area.

### REQUIREMENTS

- a Applications for subdivision are to be supported by a satisfactory noise study and report prepared by a suitably qualified and experienced acoustic consultant.
- b The report is to identify any necessary acoustic control measures to be incorporated into the design of future development to achieve the noise levels specified in Chapter 2.1 Dwelling Houses and Ancillary Structures, that do not compromise the integrity of the overall development design or the landscape values of the land to which this plan applies.

## 2.11 Contamination

### OBJECTIVE

- To ensure that land proposed for development does not prevent a risk to future occupants and is of a suitable quality for the intended purposed.

### REQUIREMENTS

- a Any application for the subdivision of Lot 22 DP 740435, Lot 1112 DP 1143167, Lot 52 DP 1039187, Lot 1111 DP 1143167, Lot 21 DP 740435, Lot 455 DP 786675, Lot 513 DP 500951, Lot 4 DP 1078468 and Lot 511 DP 205919 is to be accompanied by a preliminary Phase 1 Contamination report prepared by a suitably qualified consultant.
- b The report is to be consistent with the requirements of the Managing Land Contamination planning guidelines, 1998 (as updated) prepared by the (then) Department of Urban Affairs and Planning.

*Note: This is supplementary information provided for applicants and landowners. All development proposals must consider all relevant Council and State Government Policy including SEPP 55- Remediation of Land and Council Policy P1- Potentially Contaminated Land.*

## 2.12 Residential Development

### OBJECTIVES

- a To ensure that development applications for development in low density residential areas are consistent with the relevant plans and policies of Council and are fit for use and encourage neighbourhood communities.
- b To ensure that consideration of the current and future character of the area is adequately considered in the assessment of Development Applications



## REQUIREMENTS

- a Development Applications for detached dwellings houses are to adopt the provisions of DCP 2013 Chapter 2.1 – Dwelling Houses and Ancillary Structures.
- b Development Applications for dual occupancy development are to adopt the provisions of DCP 2013 Chapter 2.3 – Dual Occupancy Development.
- c Small Lot Development - Development Applications proposing to use the provisions for variation to minimum lot size requirements for the R2 Zone under WLEP 2013 for development other than dual occupancy development are to adopt the provisions for Small Lot Housing Development as referred to under DCP 2013 Part 4 – Subdivision.

*Note: Small Lot Housing consists of a minimum of 5 or more development lots*

## 2.13 Aboriginal Heritage

### OBJECTIVES

- To provide proponents with information that can be used to supplement the requirement to consider Indigenous Heritage in preparing a development application.

### REQUIREMENTS

- a Any application for the subdivision must include the results of a review of the Aboriginal Heritage Information Management System (AHIMS) to identify any known Aboriginal Sites that may be impacted by the development proposal.
- b No development is to be undertaken or approved in the vicinity of identified sites before a Cultural Heritage Management Plan has been prepared by a suitably qualified person.

*Note: Consultation of the AHIMS does not assume other cultural or archaeological evidence does not occur within the Study area and does not relieve the applicant of the need to undertake appropriate additional investigations and studies where required.*

## **2.2 Polices Due for Review within Development and Building Department**

---

TRIM REFERENCE: F2009/00055 - D05170015

MANAGER: Michael Whittaker, General Manager

AUTHOR: Brian Glendenning; Acting Director Development and Building

### **SUMMARY**

There are a number of policies within the domain of the Development and Building Directorate that are due for review. Some of these policies have been superseded by legislation or made redundant by incorporation in DCP 2013. Others require updating to reflect current regulations and controls. This report outlines each policy and makes recommendations in relation to each one.

### **RECOMMENDATION**

**1 That Council repeal the following policies:**

- A3 Aboriginal Heritage**
- C6 Controls on Site Waste Management**
- F3 Filling of Land**
- F5 Flood Prone Land Development**
- P1 Potentially Contaminated Land**
- R3 Relatives Accommodation**
- W1 Water Catchment Areas**

**2 That Council repeal the following policy but adopt it as an additional Chapter to the Enforcement Policy.**

- L1 Incomplete works and Dilapidated buildings.**

**3 That Council adopt the following policies in their new format in accordance with the recommendations contained in this report.**

- B1 Bonding of Development Works**
- F6 Operation of Temporary Food Premises**
- H Hoardings**
- L1 Landscape**
- M1 Management of Feral Animals**
- O2 Outdoor Eating Areas**

**4 That Council amend DCP 2013 as follows:**

- 3.1 Chapter 3.1 Controls for Site Waste Management be amended to require the submission of Waste Management Plans prior to demolition (if proposed), or at Construction Certificate Stage rather than at Development Application Stage.**

**3.2 Chapter 3.7 Heritage be amended to incorporate the requirements for protection of aboriginal objects and declared aboriginal places as outlined in the Due Diligence Code of Practice for Protection of Aboriginal Objects in NSW, the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, Aboriginal Cultural Heritage Consultation requirements for Proponents, the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW and the Guide to Aboriginal Heritage Impact Permit Processes and Decision Making Documents prepared by the NSW Office of Environment and Heritage.**

**5 That Council review DCP 2013 to consider incorporation of specific requirements for information necessary to assess proposed developments within the Shire's water catchment.**

## **BACKGROUND**

Council has adopted a number of policies over the years to provide additional guidance in relation to specific matters that affect a range of different development and activity types. In some instances the policies have been superseded by legislation.

In other instances policies including Council's Aboriginal Heritage Policy have been partially included in DCP 2013 and for completeness should be repealed, with the recently adopted DCP to be amended to reflect the latest guidelines for managing Indigenous Heritage under State Legislation.

There are also policies that refer to old Regulations, Acts, fees and charges etc that need to be updated.

Council has endorsed a new structure for policies to provide consistency. Whilst transferring policies to this new structure, the opportunity has arisen to rationalise the policy documents by repealing some where appropriate and updating others where necessary.

This report outlines each policy and makes specific recommendations in relation to each one.

### **Policy A3 – Aboriginal Heritage**

Council's policy in relation to Aboriginal Heritage has been superseded by legislation and policy guidelines prepared by the NSW Office of Environment & Heritage who is responsible for the administration of the National Parks and Wildlife Service Act 1974 which deals with the management of Aboriginal relics and sites. Whilst Council has adopted DCP 2013 which addresses "Heritage", including Aboriginal or Indigenous Heritage, Chapter 3.7 of the DCP does not reference the latest Code of Practice and other guidelines prepared by OEH and which have been adopted by OEH as best practice.

## **2.2 Polices Due for Review within Development and Building Department (contd)**

---

It is recommended, having regard to the above that:

- Council repeal Policy A3 – Aboriginal Heritage.
- That DCP 2013 Chapter 3.7 Heritage be amended to incorporate the requirements for protection of aboriginal objects and declared aboriginal places as outlined in the Due Diligence Code of Practice for Protection of Aboriginal Objects in NSW, the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, Aboriginal Cultural Heritage Consultation requirements for Proponents, the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW and the Guide to Aboriginal Heritage Impact Permit Processes and Decision Making Documents prepared by the NSW Office of Environment and Heritage.

### **Policy C6 – Controls on Site Waste Management**

Policy C6 deals with Site Waste Management and seeks to identify Council's expectations and requirements for the management of waste (not including sewage) on individual sites, including information required in development applications. The policy identifies approaches and techniques which promote waste minimisation in Wyong Shire and aim to promote best practice in waste management and quality control outcomes.

Since this policy was adopted, the provisions of the policy have been included in DCP 2013. The policy is therefore redundant and it is recommended that it be repealed.

A review of Chapter 3.7 of DCP 2013 indicates that a Waste Management Plan (WMP) is required at DA stage. Whilst this is standard practice, it is impractical. Often at DA stage, the end user is unknown and therefore the sources of waste and their disposal methods are also unknown. Further, DAs are often amended numerous times and a WMP is not necessarily required to accompany a s96, resulting in outdated and conflicting plans.

In order to ensure waste is managed from demolition, any consent for demolition can be conditioned that a WMP be lodged prior to the demolition work being undertaken. In this regard, it is often the demolition contractor who prepares the WMP and this contractor is not engaged until after a DA is issued.

Producing WMPs at DA stage is inefficient and actually generates waste in their preparation, reproduction and distribution. It is therefore recommended that DCP 2013 be amended to require the submission of a WMP with Construction Certificate documentation, or prior to demolition in the event demolition is proposed, rather than at DA stage.

### **Policy F5 – Flood Prone Land Development**

This policy has been superseded by the adoption of Chapter 3.3 "Floodplain Management" within DCP 2013. The policy also refers to previous zonings under Wyong LEP 1991 which have been superseded by WLEP 2013. It is therefore recommended that this policy be repealed.

**Policy P1 – Potentially Contaminated Land**

This policy was developed by Council to enable builders, developers and the broader community to understand the procedural arrangements that Council will use to assess applications for subdivision and building / development activities on land that is contaminated or potentially contaminated.

SEPP No 55 – Remediation of Land contains state wide planning controls for the remediation of contaminated land that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the state, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires Councils to be notified of all remediation proposals. Further, the Department of Urban Affairs and Planning (as it was then known), in conjunction with the Environment Protection Authority, has also published. SEPP No 55 and those Guidelines provide an adequate policy framework for Council to manage contaminated lands and it is therefore recommended that Policy P1 – Potentially Contaminated Land be repealed.

**Policy R3 – Relatives Accommodation**

This policy permitted “Relatives Accommodation” with a maximum size of 50m<sup>2</sup> provided it was attached as part of an existing single dwelling, had at least 2 car spaces and a single shared laundry.

The SEPP (Affordable Rental Housing) now permits secondary dwellings up to 60m<sup>2</sup> and so overrides Council’s policy. It is recommended that the Relatives Accommodation Policy be repealed.

**Policy W1 – Water Catchment Areas Development**

The aim of this Policy is to reduce the potential threats to the quality of the Central Coast water supply by restricting land uses in the Wyong water supply catchment area. This policy has been superseded by WLEP 2013 which controls land used within the water supply. This policy has been reformatted and updated. See copy attached.

The policy now distinguishes between a “single event” approval or an “annual” approval to operate within Wyong Shire. Those operators of temporary food business within the Shire will obtain an annual renewal (if the food business continues to operate within the Shire), at the completion of each financial year.

**H – Hoardings**

This policy has been re-drafted into the new format. The Policy Summary has been re-written to address the purpose of the policy.

The definition of an “A” type hoarding has been amended to include construction fencing and other vertical protective structures.

Australian Standard AS4687 “Temporary Hoardings & Fencing” is now references with applicable fees also updated.

## **2.2 Polices Due for Review within Development and Building Department (contd)**

---

Outdated conditions have been deleted. A catchment.

It is recommended that this policy be repealed as it is now redundant.

As a separate matter, it is recommended that DCP 2013 be amended to specifically identify additional supplementary information required in support of applications within the water catchment. It is noted that Gosford City Council has a similar chapter within its draft DCP.

### **Policy B1 – Bonding of Development Works**

This policy applies to works that have been conditioned to be constructed as part of development consent where the completed works are to be dedicated to Council as assets when complete such as roads, parks etc. The policy allows substantially completed works to be bonded so that a subdivision certificate and interim occupation certificate can be released to expedite the process.

This policy has been reformatted and slightly re-worded for clarity without change to the intent or operation of the policy. A copy of the amended policy is attached.

### **F3 – Filling of Land**

This policy does not reflect current legislative requirements. Earthworks are only permissible in association with an approved development or alternatively if they are deemed to be landscaping works that would be permissible as exempt development under SEPP (Exempt and Complying Development) Codes. It is recommended that this policy be repealed.

A simple information sheet outlining when consent is required for filling of land could be developed, if necessary.

### **F6 – Operation of Temporary Food Premises**

copy of the amended policy is attached.

### **I1 – Incomplete Works and Dilapidated Buildings**

Council has adopted this policy to establish Council's position with regard to incomplete works and dilapidated buildings. Minor changes proposed to the policy include deletion of references to DCP 2005 and WLEP 1991 and replacement with reference to WLEP 2013.

As this policy complements Council's Enforcement Policy, it is considered that it would more appropriately be located as a Chapter of The Enforcement Policy and for this policy to be repealed.

### **L1 – Landscape**

Council's Landscape Policy identifies various categories of development and aims to encourage a high standard of landscape design and construction throughout the Shire. This policy has been brought into Council's standard format without amendment. A copy of the Policy in the new format is attached.

**M1 – Management of Feral Animals**

This policy has been reformatted and a reference to the Companion Animals Act has been included. A copy of the reformatted policy is attached.

**O2 – Outdoor Eating Areas**

This policy has been amended and reformatted. A copy is attached.

One amendment to the Policy is to note that, in most circumstances, development consent is not required for outdoor dining due to the operation of CI 2.40A and 2.40B of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. If CI 2.40A and 2.40B of the SEPP do not apply, then development consent will be required.

**CONCLUSION**

The recommendation contained in this report are aimed at streamlining the development and building process by reducing the number of conflicting policy documents as far as possible and bringing the policies into line with other existing state policies and Councils adopted format.

Other policies will be reviewed and reported separately to Council.

**ATTACHMENTS**

- |          |                                      |           |
|----------|--------------------------------------|-----------|
| <b>1</b> | B1 Bonding of Development Works      | D06269877 |
| <b>2</b> | Operation of Temporary Food Premises | D06269925 |
| <b>3</b> | Hoardings                            | D06270093 |
| <b>4</b> | Landscape                            | D06269974 |
| <b>5</b> | Management of Feral Animals          | D06269977 |
| <b>6</b> | Outdoor Eating Areas                 | D06270305 |



POLICY No: WSCXXX

# POLICY FOR BONDING OF DEVELOPMENT WORKS

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
**P** 02 4350 5555 **F** 02 4351 2098  
**E** [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
**W** [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)







AUTHORITY	NAME & TITLE	SIGNATURE	DATE
<b>AUTHOR</b>			
<b>MANAGER</b>	Scott Cox Manager Development Assessment & Rezoning		
<b>DIRECTOR</b>	Director Development & Building		
<b>GENERAL MANAGER</b>	Michael Whittaker		
<b>MAYOR (IF APPLICABLE)</b>			

## History of Revisions:

Version	Date	TRIM Doc. #
1		

## A. POLICY SUMMARY

- A1 This Policy is applicable to works that have been conditioned to be constructed as part of a development consent where those completed works are dedicated to Council and become Council's Asset when complete.
- A2 This Policy is required to:
- Provide for the issue of a Subdivision Certificate prior to completion of all works required under the conditions of consent or other associated approvals subject to the works being substantially complete.
  - Provide for the bonding of works but only when Council is satisfied that the works that have been completed are able to perform the intended function without creating safety issues that cannot be satisfactorily managed and the remaining works can subsequently be completed by the Developer.
  - Provide for the bonding of works but only in the circumstances where Council is satisfied that there will be no negative environmental impact.

## B. POLICY BACKGROUND

- B1 In certain circumstances it may be considered appropriate that incomplete works of a development which have been substantially completed may be bonded for subsequent completion by the developer to enable the issue of the Subdivision Certificate or Interim Occupation Certificate. A Policy is required to clarify when bonding of works may be acceptable and what action needs to be undertaken to permit the bonding of works to occur.
- B2 The Environmental Planning and Assessment Act section 109J(2) provides for a consent authority to accept security for work to be completed.

## C. DEFINITIONS

- C1 **Council** means Wyong Shire Council, being the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.

## D. POLICY STATEMENTS

### Jurisdiction

- D1 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities and all activities of the Council.
- D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

**General**

- D3 Any incomplete works that a Developer would like to bond will be the subject of a formal application to Council. Consideration will be given to permit the bonding of incomplete works subject to satisfying the following criteria:
1. The works have been substantially completed and do not adversely affect the efficiency and/or operation of the development or a vital element of the development.
  2. The incomplete works do not present a safety issue that cannot be satisfactorily managed.
  3. The completion of the incomplete works can be carried out without significant impact on the operation of the development site and/or will not inhibit the commencement of building development on the proposed lots.
  4. The nature and value of incomplete works can be accurately estimated and validated.
  5. The developer can retain sufficient control of the site to satisfactorily carry out the incomplete works.
- D4 If Council agrees the proposal meets the abovementioned criteria the following is to be provided or complied with:
1. A timeframe and schedule for the carrying out of the bonded works acceptable to Council.
  2. Suitable security being either cash, a bank cheque or irrevocable bank guarantee is to be provided to Council to cover the future cost of the work including administrative, increases in construction costs due to the timing of works and contingency costs. This shall be generally 130% of the agreed costs plus any additional increase due to the proposed timing of the works. This is essential to ensure that Council is not financially disadvantaged should it be necessary for Council to arrange for the works to be carried out.
  3. Bank guarantees shall not have an expiry date and shall be from a reputable financial institution that may require approval from the Manager, Financial Services.
  4. The lodgement of security or the making of a payment to Council for the completion of works has been agreed in writing by the applicant. This shall include statements as to the completion date and an agreement of Council's absolute right to draw on the security to carry out the works and if required to recover any additional costs incurred in the carrying out of the works. In addition permission for unencumbered access for Council to enter the site and carry out works if required is to be provided.
  5. The payment of the appropriate fees for the assessment of the application in accordance with Council's Strategic Plan.
  6. Where any charge, fee, supply of products or services under this policy is subject to a goods and services tax (GST), an amount equal to the GST paid or payable in respect of the charge, fee, supply of products or services, shall be included in the amount of consideration paid or payable under this policy.
  7. An agreement from the Developer to pay Council fees for all inspections and administration relating to the bonded works and release of the bond when the works are completed.

**E. POLICY IMPLEMENTATION - PROCEDURES****Applications**

- E1 An application form for the Bonding of Works can be found on Council's Web of the "Forms" web page.
- E2 The application form is to be completed and lodged with payment of Council's applicable fee as contained in the Strategic Plan.



**POLICY No: WSCXXX**

# POLICY FOR OPERATION OF TEMPORARY FOOD PREMISES

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
**P** 02 4350 5555 **F** 02 4351 2098  
**E** [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
**W** [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)





AUTHORITY	NAME & TITLE	SIGNATURE	DATE
<b>AUTHOR</b>			
<b>MANAGER</b>	Jamie Loader Manager Building Certification, Health & Compliance		
<b>DIRECTOR</b>	Director Development & Building		
<b>GENERAL MANAGER</b>	Michael Whittaker		
<b>MAYOR (IF APPLICABLE)</b>			

History of Revisions:

Version	Date	TRIM Doc. #
1		

**A. POLICY SUMMARY**

A1 To ensure food sold from Temporary Food Premises does not become unsafe or unsuitable

**B. POLICY BACKGROUND**

B1 A policy designed to ensure that food sold from temporary food premises is prepared, stored and handled so as to not become unsafe or unsuitable for sale within Wyong Shire. Further, the Policy will ensure operators obtain a "Single Event" or an "Annual Approval to Operate" within the Wyong Shire, to enable suitable ongoing monitoring of health standards.

**C. DEFINITIONS**

C1 **The Act** means the *Local Government Act NSW 1993*.

C2 **Council** means Wyong Shire Council, being the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.

**D. POLICY STATEMENTS****Jurisdiction**

D1 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities and all activities of the Council.

D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

**General**

D3 Food businesses selling food at temporary events are required to comply with the Food Act 2003, Food Regulation 2010, the Australia New Zealand Food Standards Code and the NSW Food Authority's guidelines "Food Handling Guidelines at Temporary Events".

D4 Prior to selling any food at a temporary event, a food business must hold a current "single event" or "Annual Approval to Operate" issued by Wyong Shire Council.

D5 Food businesses holding an "Annual Approval to Operate" a temporary food business must be renewed annually (at the completion of each financial year) if the food business continues to operate within Wyong Shire.

**E. POLICY IMPLEMENTATION - PROCEDURES**

- E1 This policy should be read in conjunction with the Wyong Council Code of Conduct.
- E2 It is the personal responsibility of all Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- E3 Where any charge, fee, supply of products or services under this policy is subject to a Goods and Services Tax (GST) an amount equal to the GST paid or payable in respect of the charge fee, supply of products or services shall be indicated in the amount of consideration paid or payable under this policy.
- E4 Associated documents
- a) Wyong Council Code of Conduct
  - b) NSW Food Act 2003
  - c) NSW Food Regulation 2010
  - d) Australia New Zealand Standards Code





POLICY No: WSCXXX

## POLICY FOR HOARDINGS

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
**P** 02 4350 5555 **F** 02 4351 2098  
**E** [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
**W** [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)





AUTHORITY	NAME & TITLE	SIGNATURE	DATE
<b>AUTHOR</b>			
<b>MANAGER</b>	Jamie Loader Manager Building Certification, Health & Compliance		
<b>DIRECTOR</b>	Director Development & Building		
<b>GENERAL MANAGER</b>	Michael Whittaker		
<b>MAYOR (IF APPLICABLE)</b>			

History of Revisions:

Version	Date	TRIM Doc. #
1		

## A. POLICY SUMMARY

- A1 The purpose of this policy is to address Council's requirements for the construction, management and removal of hoardings located on road reserves and other land owned and controlled by Council in order to:
- Minimise risks to public safety.
  - Minimise damage to Council assets.
  - Minimise impacts on pedestrian and vehicular access.
  - Minimise damage to public and private property.
  - Maintain access to water and sewer infrastructure for emergency and maintenance purposes.

## B. POLICY BACKGROUND

- B1 Different types of hoardings as defined in this policy are the measure employed to separate and protect persons and property from building construction, building maintenance or other construction activity.
- B2 Building construction, building maintenance and other construction activities within a site often require utilisation of property adjacent to the site in order to carrying out an activity.
- B3 Where the property adjacent to a site is owned or under the control of Council and a person proposes to utilise the property adjacent to the site for the purpose of erecting a hoarding then Council under the Roads Act and/or as the owner or controller of that property needs to consider, assess and approve the use of the Council owned or controlled property to ensure that all relevant issues are addressed prior to the installation of the hoarding.
- B4 Development Consent does not usually constitute approval to erect a hoarding on property adjacent to a site that is owned or control by Council.

## C. DEFINITIONS

For the purpose of this policy, the following definition applies:

- C1 **"A" type hoarding** means a vertical protective structure constructed in timber, or other suitable materials usually at least 1.8m in height. Temporary construction site fencing is considered to be an "A" type hoarding.
- C2 **"B" type hoarding** refers to hoardings with an overhead protective structures.
- C3 **"C" type hoarding** refers to Type 'B' Hoardings with an overhead protective structure which forms a platform for site sheds or storage.
- C4 **"Hoardings"** are structures erected on or adjacent to a property to form a barrier between building, demolition or construction sites and the adjoining land. Hoarding structures can consist of fences, scaffolding or overhead structures as individual elements or integrated together.

## **D. POLICY STATEMENTS**

### **Jurisdiction**

- D1 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council owned or controlled property, premises or facilities and all activities of the Council.
- D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

### **General Hoarding Requierments**

- D3 The minimum design, supply and installation requirements for hoardings shall be in accordance with the latest edition of AS 4687 "Temporary Fencing and Hoardings". Overhead protective structures associated with a hoarding shall be in accordance with the Code of Practice – "Overhead Protective Structures" by the Workcover Authority of NSW.
- D4 Where any hoarding is proposed to be erected on a public use area, road reserve or land owned or controlled by Council, a traffic and pedestrian management plan, including a traffic control plan prepared by a Roads and Maritime Services(RMS) accredited orange or red card holder, shall be submitted to Council for consideration as part of an application to erect a hoarding. The plan shall cover the installation, removal and ongoing traffic and pedestrian management whilst the hoarding is in place.
- D5 Where a hoarding is proposed to be erected on a public use area, road reserve or land owned or controlled by Council a suitable width of passage must remain for pedestrian use. The width of passage and measures to delineate this width shall be proposed and delineated in the application to Council.

### **"A" Type Hoarding Requirements**

- D6 Type "A" hoardings must be constructed around all sites where demolition, building, maintenance or other construction type works are being carried out. . The individual hoarding panels or site construction fence must be bolted together to form a continuous barrier complete with end returns. The hoarding must be suitably braced and counter weighed for stability against wind and other loads.
- D7 Type "A" full barrier hoardings, not a temporary construction fence, shall be constructed in all cases , where buildings, existing or proposed, within 3.5 metres of the boundary of adjoining public use areas, road reserves or land owned or controlled by Council are being constructed or altered.
- D8 Type "A" full barrier type hoardings, not a temporary construction fence, shall be constructed where excavation is within a 3 horizontal to 1 vertical envelope from the surface level of the boundary of adjoining public use areas, road reserves or land owned or controlled by Council.

**"B" Type Hoarding Requirements**

- D9 The design and completed construction of "B" type hoardings shall be certified by a Structural Engineer to ensure the hoarding is constructed in accordance with the NSW WorkCover Authority Code of Practice. All other non-structural provisions of the Code of Practice shall be complied with. This Code of Practice can be viewed at the Authorities web site at <http://www.workcover.nsw.gov.au>
- D10 Type "B" overhead hoardings shall be constructed where buildings over two (2) stories or 6 metres in height above the footpath level and within 3.5 metres of the property boundary are being erected or demolished or where the outer part of such buildings adjoining a public Use area is being altered or maintenance carried out.
- D11 Where the height of the building or the position of the site is such that hazards are likely to occur from falling objects, additional safety hoardings shall be provided. In special cases, where the width of the footway is less than 2.5 metres or where the erection of a standard "B" type hoarding is impracticable, the applicant shall submit plans of a suitable cantilever hoarding for consideration by Council.
- D12 Type "B" hoardings shall be constructed where material is required to be hoisted over or across a public use area at frequent intervals during building or construction activities on a site.

**"C" Type Hoarding Requirements**

- D13 The design and completed construction of "C" type hoardings shall be certified by a Structural Engineer to ensure they are constructed in accordance with the NSW WorkCover Authority Code of Practice. All other non-structural provisions of the Code of Practice shall be complied with. The code of practice can be viewed at the Authorities web site at <http://www.workcover.nsw.gov.au>. All other requirements of 'B' Type Hoardings shall apply to 'C' Type Hoardings.

**Site Vehicle Access Requirements**

- D14 Established pedestrian paths must be protected from damage by vehicles by the installation of Hardwood planking, steel plates, or an alternate protection measures acceptable to Council. The type of protection proposed shall be detailed in the hoarding application to Council.

**E. POLICY IMPLEMENTATION – PROCEDURES****Applications to Erect a Hoarding - Application Requirements**

- E1 Where hoardings are proposed to be erected on or over public use areas, road reserves or land owned or controlled by Council an application shall be made to Council. Such an application shall be made by way of Council's application form available from Council's Customer Contact Department or on Council's Web Site..
- E2 Documentation to accompany an application to erect a hoarding shall include:
- Certificates of currency for Public Liability Insurance (minimum \$10 million cover) plus a statement indemnifying Council for any claim relating to the proposed hoarding.
  - Detailed location plans of the proposed hoarding showing existing site features including but not limited to utility covers, footpaths, kerb and gutter and signage.
  - A dilapidation report of the area where the hoarding is proposed and all adjacent areas which may be utilised in the installation and removal of the hoarding.

- Traffic and Pedestrian Management Plan.

E3 Following receipt of the application and Council's assessment of the application Council may request further information to assess the application should the information provided with the application be inadequate to make a determination.

### **Conditional Approval**

E4 Approvals for a hoarding on or over public use areas, road reserves or land owned or controlled by Council may be conditional in order to address site specific issues and general issues that are required to be addressed during the installation, removal and use of the hoarding.

E5 An approval may be conditional on the applicant lodging security in the form of cash or an unconditional bank guarantee for an amount determined by Council. This security would be held by Council until any damage to Council assets resulting from the installation, operation and removal of the hoarding has been rectified to Council's satisfaction.

### **Application and Hoarding Fees**

E6 Fees are to be paid for each application for a hoarding in accordance with Council's Strategic Plan. Council's Strategic Plan can be found on Council's Web Site or fee estimates can be obtained by Contacting Council's Customer Contact Department.

E7 Fees consist of an application fee and a linear metre rate for the type of hoarding per month or part of.

E8 In case that approval is not granted for an application for a hoarding then the linear metre fee will be refunded.

E9 Where a hoarding is required to remain for a longer period than that identified in an application additional linear meter fees per month or part of will apply.

## **F. ASSOCIATED DOCUMENTS**

The following documents should be reference in conjunction with this policy:

- a) NSW Work Cover's Code of Practice – Overhead Protective Structures
- b) Australian Standard AS 4687 "Temporary Fencing and Hoardings"
- c) RMS "Traffic Control at Work Sites" Manual



POLICY No: WSCXXX

## POLICY FOR LANDSCAPING

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
P 02 4350 5555 F 02 4351 2098  
E [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
W [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)





AUTHORITY	NAME & TITLE	SIGNATURE	DATE
<b>AUTHOR</b>			
<b>MANAGER</b>	Scott Cox Manager Development Assessment & Rezoning		
<b>DIRECTOR</b>	Director Development & Building		
<b>GENERAL MANAGER</b>	Michael Whittaker		
<b>MAYOR (IF APPLICABLE)</b>			

History of Revisions:

Version	Date	TRIM Doc. #
1		



**A. POLICY SUMMARY**

- A1 To encourage a high standard of landscape design and construction throughout Wyong Shire.
- A2 To require developers to consider landscape design in association with proposed works, building and subdivision design as early as possible.
- A3 To reduce the impact of any developmental activity on the landscape.
- A4 To reduce delays in approval procedures for landscape requirements. To provide for the use of the lakes and rivers whilst not adversely affecting the amenity of the area or the possible future use of the lake system.

**B. DEFINITIONS**

For the purpose of this policy, the following definition applies:

**B1 CATEGORY 1**

Developments within Category 1 of the policy are exempt from the policy requirements but developers are encouraged to use the Landscape Policy (Treatments) Guidelines.

## Definition

Those proposals which because of their small scale and the ability of the developers and owners to carry out any landscape works do not necessitate the engagement of a consultant.

Such developments include dual occupancy/duplex, rural dwellings, advertising signs/structures, minor commercial and industrial development and the like.

**B2 CATEGORY 2**

Developments within Category 2 of the policy are significant in cumulative numbers rather than individual site impact, but still require good quality landscape works.

## Definition

Those proposals with a value up to \$2,000,000, providing they pose no significant environmental impact, and including the following:

- 1 Residential Units(not dual occupancy) up to 40 Units
- 2 Residential Subdivision up to 200 lots
- 3 Rural Residential Subdivision up to 50 lots
- 4 Industrial Subdivision up to 50 lots
- 5 Industrial Development up to 10,000m<sup>2</sup> floor area
- 6 Commercial Development up to 5000m<sup>2</sup> floor area

## Development Requirements

Applications for Development proposals within Category 2 must engage a Landscape Consultant/Contractor approved by Wyong Shire Council for Category 2 works.

**B3 CATEGORY 2E**

Developments within Category 2E are in ecologically sensitive sites and require specific environmental skills in landscape design and construction.

Definitions

Those proposals which:

- 1 Pose significant ecological or environmental impact, including quarries, large industrial projects, designated developments as defined in the Environmental Planning and Assessment Act and the like.
- 2 Affect the ecological environment when located near ocean or lakeshore, significant floodways, waterways, wetlands or riverbanks, large tracts of open space, forests, wildlife habitats, ridgelines.
- 3 Have a value of less than \$2,000,000.

**B4 CATEGORY 3**

Developments in Category 3 are highly visible or of such value that they require high quality landscape design and construction.

Definitions

- 1 Pose significant ecological or environmental impact, including quarries, large industrial projects, designated developments as defined in the Environmental Planning and Assessment Act and the like.
- 2 Affect the ecological environment when located near ocean or lakeshore, significant floodways, waterways, wetlands or riverbanks, large tracts of open space, forests, wildlife habitats, ridgelines.
- 3 When located near large recreational and commercial areas, expressways, freeways, Pacific Highway, main roads and major roads.
- 4 Have a value of \$2,000,000 or more.

Development Requirements

Applications for Development proposals within Category 3 must engage a Landscape Consultant/Contractor approved by Wyong Shire Council for Category 3 works.

**C. POLICY STATEMENTS****Jurisdiction**

- C1 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities and all activities of the Council.
- C2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

**General**

C3 This Policy applies to all proposals requiring development consent within Wyong Shire. The following information explains Council's requirements and the process to be followed. The policy reinforces Council's concerns for better site planning.

**C4 Approved Landscape Consultants And Contractors**

- 1 Council's list of Approved Landscape Consultants and Contractors for design and construction indicates the Category in which Approved Consultants are eligible to work, and whether they are eligible for design and/or construction within that Category.
- 2 Council maintains a formal procedure for determining the approved consultants/contractors list. This is available on request.
- 3 Any person or firm may apply to be included on the approved list of Landscape Consultants and Contractors. The list of Landscape Consultants and Contractors will contain approved persons or firms under various categories in accordance with the adopted guidelines.

**C5 Consultant Engagement**

An Approved Consultant must be engaged for the duration of the project and until Council receives the final Maintenance Report.

Should the approved Consultant's engagement be terminated at any stage the Developer is obliged to immediately inform Council. Failure to do so constitutes a breach of Policy.

An Approved Consultant may hand over work to another Approved Consultant only with Council consent.

**C6 Government Departments**

Government Departments may submit design reports by an approved Government employed Landscape Architect for their projects.

**C7 Consultant Accountability**

Any firm registered will remain so only while employing a suitably qualified person nominated by the firm.

The Qualified Representative shall be in a senior position or have senior management endorsement to ensure accountability for final product quality.

All applicants must complete the Landscape Consultant Registration Form legibly, and supply proof of qualifications.

**C8 Responsibilities Of The Approved Consultants**

Consultants will provide reports to Council, which may contain plans to establish a basis of fact in the event of a dispute but Council's receipt of drawings shall not imply approval of drawings, as follows:

**C9 Design Report - Allotments**

This Report must address the major design issues of the site and show that planned landscape works and design will meet the Intent of the Policy and the Guidelines. Design Reports for Category 2 allotment development must accompany the relevant Building Application.

Category 2E and 3 design reports must accompany the relevant Development Application.

Design Report - Subdivisions Categories 2, 2E and 3

This Report will be in two stages, a landscape Assessment report and a Landscape Design Report.

The Landscape Assessment Report must assess the environmental impacts of the proposed development as required by the Subdivision Design Report Guideline. This Report is required to accompany the Development application.

The Landscape Design report must set out a detailed landscape design solution for the proposed development as required by the Subdivision Design Report guidelines. This report/design is required to accompany the Engineering Drawings.

**C10 Implementation Report**

At the satisfactory completion of the Landscape Works the Approved Consultant will provide an Implementation Report. This will provide written certification that the Landscape Policy Aims and Guidelines and professional standards have been met, and a landscape maintenance programme has been established. It will outline any minor defects which must be rectified during the maintenance period. No certificate of occupation will be issued, or surveyor's transparency endorsed, before this Report is received.

**C11 Rectification Report**

The Consultant will carry out an inspection 2 months after occupation or completion of any development to ensure that any necessary rectification works have been carried out, and the landscape management program is being implemented and provide a report on the project to Council.

**C12 Maintenance Report**

The Consultant will submit a report 6 months after the satisfactory completion of the Landscape Works to assess maintenance and recommend remedial work.

**C13 Developer Commitment**

Where landscaping is a requirement of a development consent Council requires that a bank guarantee be submitted with the Building Application. This guarantee will be for a sum equivalent to 5% of the total development cost or equivalent to that of a signed and sighted contract with an approved consultant for the landscaping. This guarantee will be released upon receipt of a satisfactory Maintenance Report issued by the Consultant 6 months after completion as required by this policy.

**C14 Non Compliance With Policy**

Where the developer fails to comply with the requirements of the Policy, Council will pursue appropriate action against the developer under the Environmental Planning and Assessment Act, 1979. Council will serve notice of non-compliance in a reasonable period.

Where the Consultant consistently fails to adhere to the aims of the Policy consideration will be given to recommending deregistration.

**C15 Review of Projects**

Inspection of projects will be undertaken as necessary to determine action that may be necessary where policy and development consent conditions are not being met by the developer or the consultant or the contractor.

**C16 Goods And Services Tax**

Where any charge, fee, supply of products or services under this policy is subject to a goods and services tax (GST), an amount equal to the GST paid or payable in respect of the charge, fee, supply of products or services, shall be included in the amount of consideration paid or payable under this policy.

***D. POLICY IMPLEMENTATION - PROCEDURES***

D1 This policy should be read in conjunction with the Wyong Council Code of Conduct.

D2 It is the personal responsibility of all Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.

D3 Associated documents

- a) Wyong Council Code of Conduct
- b) Environmental Planning and Assessment Act – Section 79(C)



POLICY No: WSCXXX

# POLICY FOR MANAGEMENT OF FERAL ANIMALS

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
**P** 02 4350 5555 **F** 02 4351 2098  
**E** [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
**W** [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)





AUTHORITY	NAME & TITLE	SIGNATURE	DATE
<b>AUTHOR</b>			
<b>MANAGER</b>	Jamie Loader Manager Building Certification, Health & Compliance		
<b>DIRECTOR</b>	Director Development & Building		
<b>GENERAL MANAGER</b>	Michael Whittaker		
<b>MAYOR (IF APPLICABLE)</b>			

## History of Revisions:

Version	Date	TRIM Doc. #
1		

**A. POLICY SUMMARY**

- A1 To minimise the risk to staff by reduced handling of feral animals.
- A2 To comply with RSPCA standards with regard to the Prevention of Cruelty to Animals Act. & the Companion Animals Act. To identify Council's requirements for the erection, management and removal of hoardings required in development applications;

**B. POLICY STATEMENTS****Jurisdiction**

- B1 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities and all activities of the Council.
- B2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

**General**

- B3 Observe and assess the behaviour of the companion animal/s to determine if it/they are feral.
- B4 Examine each animal for identification in the form of a collar, identification tag or microchip.
- B5 In the case of a cat where a form of identification is found, the animal must not be considered to be feral. The owner of the animal must be formally notified by way of a Seizure Notice and the animal kept for a minimum of 14 days.
- B6 In the case of a cat that has no form of identification and is wild, showing no signs of domestication, the cat will be deemed to be feral. The cat shall be placed within a standard cage separate from the general cat population for disease control purposes.
- B7 At the earliest opportunity where practicable, a health and temperament evaluation undertaken by a registered veterinarian for the feral cat will be euthanized by intravenous injection only.
- B8 In every case, details of each feral animal shall be recorded in the appropriate registers in accordance with Council's policy and procedures.

**C. POLICY IMPLEMENTATION - PROCEDURES**

- C1 This policy should be read in conjunction with the Wyong Council Code of Conduct.
- C2 It is the personal responsibility of all Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- C3 Associated documents
- a) Wyong Council Code of Conduct
  - b) Companion Animals Act 1998





POLICY No: WSCXXX

## POLICY FOR OUTDOOR EATING AREAS

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
**P** 02 4350 5555 **F** 02 4351 2098  
**E** [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
**W** [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)





AUTHORITY	NAME & TITLE	SIGNATURE	DATE
<b>AUTHOR</b>			
<b>MANAGER</b>	Jamie Loader Manager Building Certification & Health		
<b>DIRECTOR</b>	Director Development & Building		
<b>GENERAL MANAGER</b>	Michael Whittaker		
<b>MAYOR (IF APPLICABLE)</b>			

History of Revisions:

Version	Date	TRIM Doc. #
1		

**A. POLICY SUMMARY**

- A1 To encourage the establishment of outdoor eating areas in accordance with clearly documented guidelines .

**B. POLICY BACKGROUND**

- B1 Council is a roads authority under the Act for most public roads in the Wyong local government area. RMS is the roads authority for all other public roads.
- B2 Council has a statutory discretion to grant approval to use a footpath adjacent to a Restaurant to be used for the purposes of that Restaurant.
- B3 Council is also a consent authority for the purposes of the EP&A Act.

**C. DEFINITIONS**

For the purpose of this policy, the following definition applies:

- C1 **Commercial Business**  
A building or place used for the purpose of selling goods.
- C2 **Council**  
Wyong Shire Council
- C3 **Footpath**  
Has the same meaning of "footway" in the Act, which means that part of a public road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic).
- C4 **Proprietor**  
The person who operates the Restaurant adjacent to an outdoor eating area.
- C5 **Restaurant**  
Premises that food is regularly provided to people, for consumption on the premises.
- C6 **RMS**  
Roads and Maritime Services
- C7 **The Act**  
Roads Act 1993
- C8 **The EP&A Act**  
Environmental Planning and Assessment Act 1979
- C9 **The SEPP**  
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

## **D. POLICY STATEMENTS**

### **Jurisdiction**

- D1 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities and all activities of the Council.
- D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.
- D3 This policy applies to the public footpaths and public malls located adjacent to Restaurant businesses throughout the Wyong local government area.

### **Licence**

- D4 A licence agreement shall be entered into between the Proprietor and Council in accordance with Section 125 of the Act . The licence is to contain provisions indemnifying Council against any claims resulting from the placement or use of the outdoor eating furniture.
- D5 No sub-licences or other approvals may be granted by the Proprietor in respect of the licence area without the prior written approval of Council.

### **Term**

- D6 In accordance with Section 125(4) of the Act, the term of any licence shall not exceed 7 years.

### **Termination**

- D7 Any licence must include a provision that Council may terminate the Licence without notice if the Licence Area ceases to be used in conjunction with the adjacent Restaurant conducted by the Proprietor or if the Proprietor fails to remedy any breach of the Proprietor within seven days of receiving written notice thereof from Council.
- D8 The Proprietor is responsible for the removal of any improvements installed by the Proprietor and re-instatement of the area, on the termination of the licence.

### **Fees**

- D9 An annual fee will be charged to the Proprietor on the basis of the furniture and fittings used in part of the footpath subject to the licence.

### **Consent under the EP&A Act**

- D10 Where the use of the footpath is exempt development by the operation of CI 2.40A and 2.40B of the SEPP, there is no requirement for development consent to be granted under the EP&A Act for that use of the footpath.
- D11 If CI 2.40A and 2.40B of the SEPP do not operate to provide that the use of the footpath is exempt development, a development application under the EP&A Act is required. Any such development application should accompany the license application. Development applications are to be accompanied by a plan indicating the extent of the proposal, access, maximum number of tables and chairs, location of toilets in adjacent restaurant, car parking provided and furniture storage.

**Car parking**

- D12 The footpath area used with the approval of Council under this policy is not included as "floor space" for the purposes of car parking calculations.

**Location**

- D13 The area subject to an approval under this policy must be adjacent to the land upon which the restaurant is erected.

**Insurance**

- D14 The Proprietor is required to hold a current Public Liability Insurance Policy to the amount of \$10 million, which specifically indemnifies the interests of the Council against any damage that may arise out of the activity. Such cover to be varied at the discretion of the Council and the Proprietor will provide proof of renewals.

**Pedestrian Access**

- D15 Outdoor eating will only be permitted in those areas where there is sufficient width of footpath to permit adequate space for the volume of pedestrians and where such an operation will not present a hazard or nuisance to the public, including those members of the public that have impaired vision or impaired mobility.
- D16 Tables and chairs placed on the footpath in accordance with this policy shall be positioned in such a way that a minimum clearance of 2 metres is maintained for pedestrian thoroughfare on the footpath. Council may increase this minimum clearance where circumstances, such as pedestrian traffic, warrant it. In addition, where furniture is placed adjacent to the kerb, a minimum clearance to the kerb of 600mm is to be maintained.

**Cleaning**

- D17 The area is to be kept clean and tidy at all times. The Proprietor is responsible for disposal of litter and cleaning of the footpath subject to the licence under this policy. The Proprietor shall provide litter bins (if required) as approved by Council which shall be located within the licensed area. These bins are to be emptied by the Proprietor at least daily or as required and it will be the responsibility of the proprietor to arrange disposal of the waste. No waste shall be disposed of in Council provided litter bins. The Proprietor shall steam clean the pavement of the licensed area when required to by Council. The proprietor shall ensure that no debris or litter is washed down the stormwater system and the use of detergents and cleaning agents must be minimised.

**Furniture**

- D18 All furniture to be placed on Footpaths subject to this policy is to be supplied and maintained by the Proprietor and is to meet agreed guidelines for style, colour and materials. Furniture must not be fixed to the pavement unless directed to do so by Council, and then only in the manner stipulated. Off-street storage is required for all furniture when not in use. All furniture shall be kept strictly within the bounds of the licensed area and is not permitted to encroach upon the adjoining parts of the Footpath at any time.
- D19 If tables and chairs are to be placed in unshaded areas, they must also have umbrellas erected over them to provide adequate protection to patrons. It is accepted that umbrellas may be in a closed position due to rain, wind or cold weather. Umbrellas must be securely anchored to a weighted removable object to ensure safety and minimise damage.

**Damage**

D20 The Proprietor shall not cause or allow to be caused any damage to any part of the licence area of the Footpath or any furniture subject to the licence. In the event of any damage occurring, it is to be repaired or restored at the Proprietor's cost. The Proprietor is required to lodge the sum of \$500 in cash before signing the licence as security against damage and this will be available to Council at its sole discretion for repair/restoration of damage. Such monies will be refunded following termination of the licence by either party subject to Council being satisfied that no repairs/restoration is required.

**Hours of Operation**

D21 The hours of operation of the outdoor eating facilities shall be determined by Council having regard to the hours of operation of the related Restaurant and consideration of impacts on nearby residential areas. In any event, no licence shall permit the use of a Footpath as an outdoor dining area outside the hours 7.00am and 12 midnight, Mondays to Saturdays and 7.00am and 10.00pm, Sundays - depending on the proximity of the licence area to residential areas.

**Other Uses**

D22 No music or amusement machines will be permitted, without the prior written approval of Council, within the licensed area. Any artificial lighting is only to be erected after the approval of Council has been obtained, so as to avoid nuisance to the public or neighbouring premises.

D23 No alcohol is to be consumed or served within the licensed area unless specific approval is given by Council and any other relevant authority.

**Legal Costs**

D24 The Proprietor is required to pay all legal costs incurred by Council in the preparation and execution of the licence. These costs are incorporated into the application fee.

**General Manager's Authority**

D25 The General Manager has delegated authority to authorise lodgement of a development application and approval of a licence for the establishment of an outdoor seating area on all roads except certain specified roads for which the concurrence of the RMS is also required.

**Health Requirements**

D26 No food is to be offered for sale or displayed within the licensed area. The Proprietor and all staff of premises in which food is handled for sale must acquire a "Certificate of Competency in Food Hygiene" from Council within 60 days of commencing trading. Toilet facilities must be available to all patrons to Council's satisfaction.

**Advertising Material**

D27 No advertising signs or material is to be displayed within the licensed area other than a menu (maximum size of A3 - 420mm x 594mm). All signs must comply with Council's "Advertising Signs DCP".

**Maintenance**

D28 The Proprietor is responsible for the maintenance of the licensed area.

**Public Nuisance**

D29 Any activity within the licence area must not constitute a public nuisance and must not give rise to an offence against any Act.

**Goods And Services Tax**

D30 Where any charge, fee, supply of products or services under this policy is subject to a goods and services tax (GST), an amount equal to the GST paid or payable in respect of the charge, fee, supply of products or services, shall be included in the amount of consideration paid or payable under this policy.

***E. POLICY IMPLEMENTATION - PROCEDURES***

E1 This policy should be read in conjunction with the Wyong Council Code of Conduct.

E2 It is the personal responsibility of all Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.

E3 Associated documents

- a) Wyong Council Code of Conduct
- b) Section 125 of the Roads Act 1993
- c) The SEPP

## 2.3 DA 1066/2013 - Proposed Performing Arts and Conference Centre at Wyong

---

TRIM REFERENCE: DA/1066/2013 - D06119894  
MANAGER: Scott Cox, Manager  
AUTHOR: Mark Greer; Senior Development Planner

### SUMMARY

A development application for construction of a new Performing Arts and Conference Centre (entertainment facility) including café (restaurant) located at Wyong has been received by Council. The application has been assessed under Section 79C of the Environmental Planning and Assessment Act (EP&A Act) 1979, and is recommended for approval.

<b>Applicant</b>	Wyong Shire Council
<b>Owner</b>	Wyong Shire Council (operational land)
<b>Application No</b>	DA/1066/2013
<b>Description of Land</b>	No19 & 21 Margaret Street, Wyong, (Lots 1-4, Sec 7 DP 3136) No.9 and 13 Margaret Street, Lots 9 and 11, Sec.6, DP 3136 (parking only)
<b>Proposed Development</b>	Performing Arts and Conference Centre (entertainment facility) including café (restaurant).
<b>Site Area</b>	4046.5m <sup>2</sup>
<b>Zoning</b>	3(a) (WLEP 1991), B3 Commercial (WLEP 2013)
<b>Existing Use</b>	Wyong Memorial Hall and office building
<b>Employment Generation</b>	11 permanent staff
<b>Estimated Value</b>	\$11.1 million

### RECOMMENDATION

- 1 ***That Council receive the report on DA 1066/2013 - Proposed Performing Arts and Conference Centre at Wyong.***
- 2 ***That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the application.***
- 3 ***That Council waive the Section 94A contribution for the proposed development.***



**Referral to Hunter Central Coast Joint Regional Planning Panel**

The proposal is referred to the Hunter Central Coast Joint Regional Planning Panel (JRPP) for determination pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) (SEPP) 2011 and Schedule 4A, Section 4 of the EP& A Act, 1979. In this regard, Wyong Shire Council (WSC) is the owner, applicant and is proposing to carry out the work, which has a capital investment value (CIV) of over \$5 million.

**BACKGROUND**

Enclosed is the report being forwarded to the Hunter Central Coast JRPP's for determination on 24 April 2014.

**ATTACHMENTS**

- |   |  |           |           |
|---|--|-----------|-----------|
| 1 | Report to Hunter Central Coast Joint Regional Planning Panel | Enclosure | D06291395 |
| 2 | Draft Conditions   | Enclosure | D06033064 |
| 3 | Performing Arts Centre Photomontages                         | Enclosure | D06291346 |
| 4 | Development Plans  | Enclosure | D06291499 |

### **3.1 T06 Sewer Rising Main Partial Replacement Norville**

---

TRIM REFERENCE: CPA/235534 - D06188387

MANAGER: Robert Fulcher, Manager Contracts & Project Management

AUTHOR: Peter Ham; Project Manager

#### **SUMMARY**

Evaluation of tenders and selection of a contractor for Contract CPA/235534 – T06 Sewer Rising Main Partial Replacement, Norville.

#### **RECOMMENDATION**

- 1** *That Council accept the tender from the company nominated as Tenderer No 2 in the attached Tender Evaluation Report, for the lump sum amount of \$940,550.00 (excl GST) for Contract CPA/235534 – T06 Sewer Rising Main Partial Replacement, Norville.*
- 2** *That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.*
- 3** *That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.*

#### **BACKGROUND**

The existing sewer rising main that carries raw sewage from sewage pumping station number T06 to the Toukley Sewage Treatment Plant is an ageing 300mm diameter asbestos cement pipe. Because of its age, the main has been subject to a number of breaks. These breaks cause disruption to services and potential environmental damage, particularly to a nearby environmental reserve.

The scope of this contract will include the replacement of approximately 1,104m of the existing sewer rising main with Glass Reinforced Plastic pipe, and also the replacement of the existing riser pipework in the pump station dry well. The work to be carried out will include:

- The supply of all plant, labour and materials;
- All construction works in accordance with the Specification and associated documents;
- Traffic and pedestrian management;
- Safety Management;
- Construction Environmental Management Plan;
- Construction of 2 new air valve pits in nearby Brisbane Road.

#### **CONTRACT PLAN**

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations before the Request for Tender was issued. The approved Contract Plan is stored in Councils electronic document management system, document number D04013615.

#### **INVITATION TO TENDER**

The tender was advertised in the Sydney Morning Herald, Central Coast Express and eTender on 14 and 15 January 2014, and closed on 20 February 2014.

The invitation documents called for lump sum tenders not subject to rise and fall, based on a detailed specification.

A non-compulsory pre-tender meeting was held at pump station T06 on 19 February 2014 to allow tenderers to become familiar with the pump station layout.

#### **TENDER SUBMISSIONS**

The following tenders were received and are listed in alphabetical order:

- Delcare Constructions Pty Ltd
- Diona Pty Ltd
- Eden Construction Company Pty Ltd
- Eire Constructions Pty Ltd
- Kerroc Constructions Pty Ltd
- Knock Contractors Pty Ltd
- Knock Contractors Pty Ltd (Alternative)
- McNamee Constructions Pty Ltd
- Milbant Constructions

No late submissions were received.

#### **TENDER EVALUATION**

All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Report – Attachment A.

#### **PUBLIC CONSULTATION**

No public cons All submissions were assessed in accordance with the approved evaluation criteria being:

- a) Price and Structure;
- b) Methodology/Program;
- c) Experience;
- d) Local Content

#### **FINANCIAL IMPLICATIONS**

There are sufficient funds allocated for this contract within the current year's capital works program under CPA/235534 Project Number 15808.

#### **RELEVANT LEGISLATION**

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy.

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed, in accordance with section 10 A (2) (d) of the *Local Government Act 1993*. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

#### **CRITICAL DATES / TIME FRAMES**

Construction will commence after contract delivery documentation is completed by the Contractor and accepted as satisfactory by Council. The Specification requires works to be completed within 19 weeks of award of contract, and this is expected to occur in mid to late August 2014, depending on the actual date of award.

#### **RISK**

This contract has been assessed as a medium risk contract. The key risks and mitigations measures have been addressed in the Contract Plan and detailed Risk Assessment which is in Councils electronic document management system, document number D04013500.

#### **REGULATORY APPROVALS**

The following regulatory approvals have been obtained for this Contract:

- RMS approval for under-road bore across Main Road Norville.
- Approval to construct the main in an easement through Department of Education property.

#### **PROCESS REVIEW**

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

#### **OPTIONS / ALTERNATIVES**

Council has the option of not proceeding with this contract by resolving not to accept an offer from any of the Tendering parties. This option is not recommended.

Consultation specific to this contract was necessary and none has occurred to date.

### **3.1 T06 Sewer Rising Main Partial Replacement Norville (contd)**

---

Public consultation will occur prior to the commencement of site works and will continue until the project is completed.

#### **ATTACHMENTS**

- 1 T144 Confidential Tender Evaluation Report T06 SRM Norville - D06190587

#### **4.1 Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2 (incorporating the Four Year Delivery Program and 2014/15 Operational Plan)**

---

TRIM REFERENCE: F2013/01660 - D06274350

MANAGER: Vivienne Louie, Chief Financial Officer

AUTHOR: Kathleen Morris; Manager

#### **SUMMARY**

This report presents the second year review of the Wyong Shire Council Strategic Plan 2013-2017 for Council's consideration and adoption for public exhibition and consultation in accordance with the Office of Local Government's Integrated Planning and Reporting Guidelines.

#### **RECOMMENDATION**

- 1 That Council adopt the Draft Wyong Shire Council Strategic Plan 2013-2017 – Year 2 (the Draft Plan) for public exhibition.**
- 2 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Strategic Plan for consideration and possible inclusion in the final plan to be adopted by Council in May 2014.**
- 3 That Council authorise the General Manager to make appropriate corrections in the Draft Strategic Plan to eliminate numerical inconsistencies and typing errors.**

#### **BACKGROUND**

In accordance with the Office of Local Government's Integrated Planning and Reporting Framework, by the 30<sup>th</sup> June each year Council is required to review the Four Year Delivery Program and develop an annual Operational Plan that details how Council will deliver against the Community Strategic Plan. The requirements also include a Long Term Resourcing Strategy that considers financial, asset management, workforce management and information management requirements.

#### **CURRENT STATUS**

The Draft Strategic Plan incorporates all elements required by legislation and the Integrated Planning and Reporting Framework.

The single document has been designed as a one point of reference and is aligned to the objectives of the Community Strategic Plan.

#### 4.1 **Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2 (incorporating the Four Year Delivery Program and 2014/15 Operational Plan) (contd)**

---

The components of the Draft Strategic Plan are:

- Special Rate Variation Update
- Four Year Delivery Program
- 2014/15 Operational Plan
- 2014/15 Operational Budget
- Major Projects
- 2014/15 Capital Works Program
- Long Term Financial Strategy
- Asset Management Strategy
- Workforce Management Strategy
- Information Management Strategy
- Statement of Revenue (including 2014/15 Fees and Charges)

### **THE PROPOSAL**

Section 405 of the *Local Government Act 1993* requires Council to place its Draft Strategic Plan on public exhibition for 28 days. It is proposed to place the Draft Strategic Plan on exhibition on Monday 14<sup>th</sup> April 2014 with any amendments requested at the meeting. Exhibition would close on Monday 12<sup>th</sup> May 2014.

### **STRATEGIC LINKS**

#### **Wyong Shire Council Strategic/ Annual Plan**

The Draft Strategic Plan will be on public exhibition for 28 days. Submissions received during exhibition will be considered prior to the Draft Strategic Plan being presented to Council for final adoption.

#### **Long term Financial Strategy**

The Long Term Financial Strategy is included in the Draft Strategic Plan, under section 4.

#### **Asset Management Strategy**

The Asset Management Strategy is included in the Draft Strategic Plan, under section 4.

#### **Workforce Management Strategy**

The Workforce Management Strategy is included in the Draft Strategic Plan, under section 4.

#### **Information Management Strategy**

The Information Management Strategy is included in the Draft Strategic Plan, under section 4.

**4.1 Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2 (incorporating the Four Year Delivery Program and 2014/15 Operational Plan) (contd)**

**Link to Community Strategic Plan (2030)**

The Draft Strategic Plan is aligned to the Community Strategic Plan through the Four Year Delivery Program and Annual Operational Plan including a detailed operational budget and capital works program.

**Budget Impact**

That Draft Strategic Plan provides a continued pathway to financial sustainability with a budgeted surplus of \$595,000 achieving Council’s target to break even by the end of the 2014/15 financial year. Any departure from the planned programmes may have a negative effect on that target unless a review of revenue and expenditure is undertaken to balance the impact of any changes – revenue maximisation and cost containment strategies.

**CONSULTATION**

The Draft Strategic Plan has been formulated through extensive consultation with Councillors who have established the strategic direction, provided leadership and set priorities through a series of workshops and briefings.

All Service Units and the Executive Team have contributed specific actions and formulated budgets to deliver against the priorities set by Councillors.

Engagement with the community is planned throughout the exhibition period and post exhibition period, as detailed in the below table:

<b>Timing</b>	<b>Key Purpose of Engagement</b>	<b>Key Messages</b>	<b>Key Engagement Activities</b>
<b>Exhibition Period</b>			
During April / May 2014	Inform and engage the community on Year 2 of the draft Strategic Plan 2013 – 2017	<ol style="list-style-type: none"> <li>1. The Strategic Plan is the main document guiding Council’s activities for the next 12 months</li> <li>2. The Strategic Plan is on public exhibition and comments close 12 May.</li> <li>3. We are focusing on transforming our local economy through the Economic Development Strategy</li> </ol>	<p>Issue hard copies of the Draft Strategic Plan to Council’s Customer Contact, Libraries and Depots for community access and feedback</p> <p>Issue soft copies of the Draft Strategic Plan to Councillors and staff (via intranet and e-mail) for feedback</p> <p>Issue hard copy summaries of the Draft Strategic Plan to identified community contacts and centres</p> <p>Public exhibition of draft Strategic Plan utilising:</p> <ul style="list-style-type: none"> <li>• Central Coast Express Advocate (Shirewide)</li> </ul>



**4.1 Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2 (incorporating the Four Year Delivery Program and 2014/15 Operational Plan) (contd)**

Timing	Key Purpose of Engagement	Key Messages	Key Engagement Activities
		<p>4. We are focused on improving our customer's experience through improved processes</p> <p>5. We head into 2014/15 with a strong financial base to deliver on our community's vision</p>	<p>advertisement) / Rural Grapevine</p> <ul style="list-style-type: none"> <li>• Social media - Facebook and Twitter</li> <li>• Council's website</li> <li>• E-news April edition</li> <li>• Consultation Hub</li> <li>• Resident ePanel</li> <li>• Media Releases</li> <li>• Internal communication to staff</li> </ul> <p>Councillor Briefing Session</p> <p>Presentation at Community Ward Forums</p>

**GOVERNANCE AND POLICY IMPLICATIONS**

The Draft Strategic Plan provides clear information on activities to be undertaken by Council to deliver against the Community Strategic Plan. It identifies the financial, asset management, workforce resources and information management necessary to achieve Council's programs and provides a system for measuring and monitoring the results over the course of the Plan.

**MATERIAL RISKS AND ISSUES**

The formulation of the Draft Strategic Plan ensures clear direction for the upcoming financial year and beyond. It considers the resources required and ensures they are allocated based on priority and availability. The Draft Strategic Plan mitigates significant risks arising from adhoc decision making and provides long term direction based on the community's aspirations.

**CONCLUSION**

The Draft Strategic Plan details Council's actions, budget and resources for the upcoming financial year and beyond.

The Draft Strategic Plan complies with the *Local Government Act 1993* and the Office of Local Government's Integrated Planning and Reporting Framework. It provides:

- Clear connectivity between the Community Strategic Plan and Council's programs
- Financial targets that focus on achieving financial sustainability by the end of the 2014/15 financial year
- Projects to be completed under the Special Rate Variation for 2014/15

**4.1           Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2  
(incorporating the Four Year Delivery Program and 2014/15 Operational  
Plan) (contd)**

---

It is presented for Council to adopt for public exhibition before consideration of community opinion and final adoption.

**ATTACHMENTS**

- 1 Draft Strategic Plan 2013-2017 (Year 2) Enclosure D06551022

## **4.2 Lake Haven and Bateau Bay Masterplans**

---

TRIM REFERENCE: CPA/218557 - D04780411  
MANAGER: Steven Mann, Manager  
AUTHOR: Lynda Hirst; Senior Strategic Planner

### **SUMMARY**

This report seeks endorsement for the adoption of the Lake Haven Town Centre Masterplan and the Bateau Bay Town Centre Masterplan. Both Masterplans were publicly exhibited for 30 days and 15 submissions (nine for the Lake Haven Masterplan and six for the Bateau Bay Masterplan) were received during this time. This report details the background, key considerations, results of the public exhibition and final proposals for adoption.

### **RECOMMENDATION**

- 1 That Council adopt the Lake Haven Town Centre Masterplan and the Bateau Bay Town Centre Masterplan and appropriate notice be given.**
- 2 That Council request the General Manager to advise those who made written submissions of the decision.**
- 3 That Council request a Planning Proposal be prepared to amend Wyong Local Environmental Plan 2013 to rezone the relevant sections of the Lake Haven Town Centre and Bateau Bay Town Centre to B4 Mixed Use, as per the Masterplans' Implementation Plan.**
- 4 That Council forward the Planning Proposal to the Department of Planning and Infrastructure (DoPI) accompanied by a request for a Gateway Determination pursuant to Section 56 of the EP&A Act 1979.**
- 5 That Council request the DoPI to prepare a relevant Local Environmental Plan amendment, and that the Minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.**

### **BACKGROUND**

Both Lake Haven and Bateau Bay are identified in the Central Coast Regional Strategy (CRS) as Town Centres. The CRS defines Town Centres as "generally have concentrations of retail, health and professional services mixed with medium density residential within the centre. Town Centres will support surrounding residential areas and have a public transport interchange".

No strategic planning has previously occurred for either of these areas, however, the locality, land ownership pattern and role of each of these Town Centres provides significant potential for development, planning and public domain improvements.

## 4.2 Lake Haven and Bateau Bay Masterplans (contd)

---

Both Town Centres include a significant amount of Council owned and/or operated land, Crown Land and associated community and recreational facilities and infrastructure.

### Lake Haven

Lake Haven predominantly consists of a Shopping Centre, Homemaker Centre and adjoining community, sporting and recreational facilities. By virtue of a lack of significant competition in Northern Wyong, Lake Haven Shopping Centre is the main retail and commercial centre for the northern part of Wyong Shire with an extensive trade area extending as far as Gwandalan in the north and to North Wyong in the South. Given the large trade area, the Shopping Centre is heavily patronised and suffers from traffic congestion and lack of parking during peak periods. It is anticipated that the current trade area enjoyed by Lake Haven Shopping Centre will contract when the proposed Warnervale Town Centre is developed. The centre is strategically located a short distance from the Pacific Highway and Sydney-Newcastle Freeway.

### Bateau Bay

Bateau Bay is located in the southern part of Wyong Shire and predominantly consists of a Shopping Centre, Sporting Clubs, sporting fields and recreational facilities. The Study area is bounded by a Seniors Living Precinct to the east, a heavily vegetated reserve to the west, Special Purposes land comprising community services and the Council depot to the north, and residential dwellings to the south. A large area of public recreation land is located within the study area, to the east of The Entrance Road, with the Tuggerah Lakes Secondary College to the north of the sporting fields and The Entrance Sewerage Treatment Plant (STP) to the south.

The Shopping Centre, known as Bateau Bay Square following its acquisition by Property Group Charter Hall, is the main retail and commercial centre servicing the eastern part of Wyong Shire. To the immediate south of the Shopping Centre is a vacant parcel of Crown Land, recently zoned to enable bulky goods development. A small portion of this land has been dedicated to Council.

## **THE PROPOSAL**

This report seeks approval for the adoption of the Lake Haven Town Centre Masterplan and the Bateau Bay Town Centre Masterplan. Both Masterplans provide a long term strategic plan for the desired development of the area.

**OBJECTIVES**

The key objectives in preparing the Masterplans and how they are being met are outlined in the following table:

<b>Objective</b>	<b>Comments</b>
Facilitate the development of a range of additional land uses for leisure/entertainment, business services, employment uses and housing (in addition to retail shopping, community and recreation facilities) that increase community and economic activity as well as employment (including after business hours).	<p>Both Masterplans outline new development precincts with a range of indicative concept plans. In the Lake Haven Town Centre, Council has recently approved a new cinema complex adjoining the Lake Haven Recreation Centre. This cinema complex will provide a greater range of leisure/entertainment uses in the Town Centre, providing after business hours presence and increasing employment and economic activity.</p> <p>In the Bateau Bay Town Centre Council has been discussing the development of the Crown Land Opportunity Site adjoining the Bateau Bay Square with the Crown Lands Department, Charter Hall and The Entrance Leagues Club. Staff will continue to work with the adjoining landowners on any proposal to develop this land in line with the mixed use concepts presented in the Bateau Bay Town Centre Masterplan.</p>
Develop a cohesive public domain with special civic spaces that has a high level of environmental amenity and is functional, safe and legible in streetscapes, pathways, signage, lighting, furniture, landscaping and public art.	<p>Both Masterplans contain a Public Domain Strategy at the rear of the document. This Strategy sets out indicative budgets, priorities, staging and also identifies delivery agencies and partners for a range of public domain improvements to both Town Centres.</p> <p>The implementation of the Masterplans is premised on the key opportunity sites within the Town Centres being developed in joint ventures and public private partnerships which will either provide the public domain works as part of the development, or generate revenue for Council to be used to fund improvements to the public domain, community and recreational facilities.</p> <p>At Lake Haven it is proposed to provide a new dedicated community square adjoining the library and bus interchange, and at Bateau Bay a new civic square is proposed as part of any development of the Crown Land Opportunity Site adjoining Bateau Bay Square.</p>

<b>Objective</b>	<b>Comments</b>
Continue a functional and safe access network of transport infrastructure, roads, pedestrian and cycle paths, and parking all with equitable access.	<p>Recommendations are included in the Masterplans to increase the level of permeability and connectivity within the Town Centres, and to facilitate and improve parking and circulation. Both Masterplans contain an Access Network Plan.</p> <p>At Lake Haven it is proposed to extend Dash Road through to Stratford Avenue, providing improved access in and around the Shopping Centre and the Council land surrounding the Lake Haven Oval.</p> <p>At Bateau Bay it is proposed to acquire Crown Land to the west of Bateau Bay Square to enable the extension of the car park, providing additional parking and vehicular access through the rear of the Shopping Centre. It is also proposed to upgrade the existing Bus Interchange to provide improved manoeuvring and functionality, allowing for increased queuing space for buses, separate to the parking for motor vehicles.</p>
Enhance community and recreational facilities that meet the social and recreational needs of the community and contribute to community pride and social cohesion.	<p>Various upgrades to community facilities and Infrastructure and new community spaces in both Town Centres are proposed to provide facilities which cater for community activities and interaction.</p> <p>At Lake Haven it is proposed to provide a new playground and upgraded amphitheatre adjoining the cinema proposal (which is detailed as part of a VPA between Council and Metro Cinemas worth \$200,000).</p> <p>At Bateau Bay it is proposed to replace the existing PCYC building with a dedicated multi-purpose training facility, including outdoor multi-purpose courts. It is proposed to develop this recreation space as part of a joint venture or public private partnership.</p>
Implement principles of ecological sustainability particularly in new development through appropriate management of biodiversity, water conservation, energy efficiency, waste management and promoting a walkable environment.	<p>WSUD initiatives are included in the public domain plan and new development concepts for both Masterplans. The Masterplans have been developed to facilitate a walkable Town Centre with a range of facilities and services centrally located within the Town Centre to enable multi-purpose trips to minimise travel and transport demands. Energy efficiency measures are to be implemented in new developments and the public domain.</p>

## STRATEGIC LINKS

### Wyong Shire Council Strategic/ Annual Plan

Council's Strategic Plan lists the completion and adoption of the Lake Haven Town Centre Masterplan and the Bateau Bay Town Centre Masterplan by March 2014 as a key action. This is listed as PA03.02.06 – Economic and Property Development.

**Budget Impact**

The implementation of the Masterplans is premised on the key opportunity sites within the Town Centres being developed which will either provide the public domain works as part of the development, or generate revenue for Council to be used to fund improvements to the public domain, community and recreational facilities.

Funding for the implementation of the Masterplan will also come from a number of other sources including developer contributions, Government grants and Council revenue.

**CONSULTATION**

Extensive consultation has been undertaken during the preparation of the Masterplan. This has included:

- Issues & Opportunities Engagement – during the initial preparation of an Issues and Opportunities Paper for both Town Centres a number of engagement activities were undertaken including:
  - internal Council staff workshops;
  - one on one meetings with study area landowners including the Crown Lands Department, Lake Haven Mega Centre, Lake Haven Shopping Centre, The Entrance Leagues Club, Darkinjung Aboriginal Land Council & Bateau Bay Square;
  - exhibition of the Issues and Opportunities Paper and a Community Survey from December 2012 to January 2013 on both Council's webpage and the Consultation Hub; and
  - Community Information/Discussion Day held at Bateau Bay Square on 8 December 2012 and at Lake Haven Shopping Centre on 15 December 2012.
  
- Public Exhibition of the draft Masterplans from 30 October 2013 to 28 November 2013 which included:
  - display posters in both Shopping Centres;
  - Community Information/Feedback Day held at Bateau Bay Square on 9 November 2013 and at Lake Haven Shopping Centre on 16 November 2013; and
  - formal exhibition of the Masterplans at Lake Haven and Bateau Bay libraries, the Civic Centre, via the Consultation Hub, and press releases in multiple media outlets.

The Masterplan consultation utilised Council's Consultation Hub as a point of community engagement which enabled community members to present their point of view and ideas.

**Councillor Briefing**

The Masterplans were presented to a Councillor Briefing on 25 September 2013 to inform Councillors of the progress of the Masterplans and to seek endorsement to proceed with public exhibition. The endorsement to exhibit the draft plans was granted subject to:

- Bateau Bay Town Centre Masterplan – identification of the Crown Land to the west of Bateau Bay Square as a long term investigation site, and amendment of the

development concepts for the Employment Development Precinct to show more of a retail/commercial/business focus.

- Lake Haven Town Centre Masterplan – remove reference to Lake Haven Oval and identify this open space area as a future long term investigation/opportunity site.

The requested changes were undertaken to both Masterplans prior to being placed on exhibition.

### **Exhibition**

Public exhibition of the document was undertaken from 30 October 2013 to 28 November 2013. During this time 15 submissions (9 for the Lake Haven Masterplan and 6 for the Bateau Bay Masterplan) were received.

The major concern with both Masterplans was the uncertainty regarding the future of the Lake Haven library and Bateau Bay library. These submissions will be forwarded to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy. Both masterplans promote the investigation of opportunities to establish new multi-function learning facilities in partnership with local business and/or landowners, which could incorporate new library facilities.

As a result of the exhibition some minor changes have been made to the Lake Haven Town Centre Masterplan to retain Gravity Youth Centre in its current location (was originally proposed in the draft Masterplan to be relocated further north closer to the oval) and to relocate the Skate Park adjacent to the tennis courts.

A table of all submissions has been prepared and is attached to this report.

### **Implementation**

The first stage of implementation for both Masterplans involves preparing a Planning Proposal to amend the Wyong Local Environmental Plan 2013 to rezone land within the Town Centres to B4 Mixed Use. A B4 Mixed Use zone will encourage a wider range of land uses that increase community and economic activity, provide increased employment opportunities, and will enable the concepts and visions outlined within the Masterplans to be realised.

At Lake Haven it is proposed to rezone the Entertainment/Commercial Precinct, Mega Centre Precinct and Shopping Centre PAD site to B4 Mixed Use. At Bateau Bay it is proposed to rezone the Long Jetty Works Depot and adjacent Crown Land to the north of Bateau Bay Square, the Southern Opportunity Site and the Leagues Club Community Precinct to B4 Mixed Use.

### **CONCLUSION**

The draft Lake Haven and Bateau Bay Town Centre Masterplans provide a document which will guide public domain improvement works and development in both Town Centres. The Masterplans were prepared in close consultation with the community and land owners and followed a thorough community engagement process. The implementation plan provides a guide to the implementation of the projects outlined in the document and staging of these



works in accordance with Council's and the communities priorities. A copy of the final Masterplans is enclosed.

**ATTACHMENTS**

- |          |   |           |           |
|----------|---|-----------|-----------|
| <b>1</b> | Summary of Submissions - Lake Haven & Bateau Bay Town Centre Masterplans      |           | D06170997 |
| <b>2</b> | Final Version Bateau Bay Masterplan - March 2014 - Low Resolution (D06215721) | Enclosure | D06215721 |
| <b>3</b> | Final Version Lake Have Masterplan - March 2014 - Low Resolution (D06215725)  | Enclosure | D06215725 |

## Submission Table – Draft Lake Haven Town Centre Masterplan Exhibition – March 2014

No.	Doc. No.	Issue	Comment
1	D04277225	<ol style="list-style-type: none"> <li>1. Do not relocate Skate Park in front of Gravity Youth Centre – relocate to space between Lake Haven Shopping Centre and Gravity Youth Centre.</li> <li>2. Do not relocate/reconstruct Gravity Youth Centre further south – want people to still be able to access and use space behind the Gravity Youth Centre.</li> <li>3. Retain amphitheatre in current location.</li> </ol>	<ol style="list-style-type: none"> <li>1. Masterplan has been revised to relocate Skate Park to the west of the existing tennis courts – the option to relocate the skate park in suggested location was considered but ruled out due to need for substantial filling and lack of visibility which could impact on security and safety for the skate park.</li> <li>2. Masterplan has been revised with Gravity Youth Centre remaining in its current location.</li> <li>3. Amphitheatre is to be retained and enhanced in its current location.</li> </ol>
2	D04551277	Relocation of Gravity further north would cause a major disruption for those using the facility during the relocation period – support an enhanced and improved Lake Haven Town Centre.	Masterplan has been revised with Gravity Youth Centre remaining in its current location.
3	D04567980	Would like to see the Lake Haven library expanded – current facility is at capacity with limited study space, more floor space is needed to accommodate growing population. Like to see library expanded to support a multi-purpose learning hub.	The masterplan proposes that Council will investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners which could incorporate new library facilities. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.
4	D04567086	Would like to see the Lake Haven library expanded – current facility is at capacity with limited study space, more floor space is needed to accommodate growing population. Like to see library expanded to support a multi-purpose learning hub.	The masterplan proposes that Council will investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners which could incorporate new library facilities. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.
6	D04483000	Would like to see the expansion of library facilities (inclusion training facilities, technology spaces, larger areas for children, reading nooks, etc) in both the Lake Haven & Bateau Bay Town Centres.	The masterplan proposes that Council will investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners which could incorporate new library facilities. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.

No.	Doc. No.	Issue	Comment
7	D04595991	<ol style="list-style-type: none"> <li>1. The 'open street' network promoted by the Masterplan for the Lake Haven Shopping Centre is not considered commercially viable.</li> <li>2. Lake Haven Shopping Centre does not own all land within the business park, particularly some of the larger 'pad sites'. Land ownership should be identified in the layout for this area.</li> <li>3. Concept of a commercial/entertainment precinct on Council's land is supported; however, nomination of particular land uses (i.e. entertainment facility/cinema) should be a broad objective of the masterplan and not dictated to a specific site. No predetermined layouts or uses should be nominated within the Shopping Centre, Mega Centre or Business Park.</li> <li>4. The masterplan is inconsistent with Council's recently adopted Retail Strategy which states that expansion of the Lake Haven Shopping Centre in the short to medium term is not warranted.</li> </ol>	<ol style="list-style-type: none"> <li>1. The concept of redevelopment of the Lake Haven Shopping Centre promotes connection to surrounding developments (i.e. Lake Haven Mega Centre) and good urban design principles for street activation and improved visual amenity. However, as noted in the masterplan the concepts are indicative only and will be subject to a more detailed design analysis as part of any redevelopment proposal.</li> <li>2. The concepts for redevelopment of the business park precinct are based on good urban design principles and not land ownership. The concepts allow for expansion of all existing facilities regardless of land ownership.</li> <li>3. A Development Application has been approved for the cinema in the location nominated on the masterplan. Whilst most concepts are indicative only and subject to further detailed design, Council has attempted to identify the exact site for particular uses where a greater level of certainty has been provided.</li> <li>4. Whilst Council's Retail Strategy does not provide for expansion of the Lake Haven Shopping Centre in the short to medium term (up to 2021), it is considered that there is scope for expansion in the longer term in accordance with the masterplan which provides guidance for development of the Town Centre over the next 30 years. The Retail Strategy also enables expansion of any existing Retail Centre in line with market demand, should the expansion be justified under the net community benefit test described in the Strategy.</li> </ol>
8	D04780585	Need for libraries in both Lake Haven & Bateau Bay Town Centres	The masterplan proposes that Council will investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners which could incorporate new library facilities. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.

<b>No.</b>	<b>Doc. No.</b>	<b>Issue</b>	<b>Comment</b>
9	D04780585	Lake Haven Shopping Centre needs revitalisation to create a more family friendly and inviting space.	The masterplan promotes the expansion and/or redevelopment of the Shopping Centre. The masterplan also provides for a new community square to the east of the Shopping Centre which provides an active outdoor civic space that will enhance the existing community and recreational facilities.

## Submission Table – Draft Bateau Bay Town Centre Masterplan Exhibition – November 2013

No.	Doc. No.	Issue	Comment
1	D04343704	<ol style="list-style-type: none"> <li>Support improvements proposed by Masterplan</li> <li>Request inclusion of Olympic sized swimming pool within any redevelopment of EDSACC – Mingara facility is at capacity and a local facility for the growing population in and around Bateau Bay is needed.</li> </ol>	<ol style="list-style-type: none"> <li>Noted</li> <li>Any redevelopment of EDSACC is subject to a public/private partnership (with the likes of PCYC or YCMA.). Whilst the masterplan recommends a broad range of recreational uses for the site, the masterplan concepts are indicative only and are subject to a more detailed design process. The most appropriate recreational uses will be decided based on demand and lifetime costs of the facilities, including construction and ongoing operational and maintenance costs. The demand and economic feasibility of providing a swimming pool within this facility can be determined at the detailed design stage.</li> </ol>
2	D04583325	<ol style="list-style-type: none"> <li>Contains interesting and appropriate proposals for the local community.</li> <li>Concerned at the lack of commitment to the existing library at Bateau Bay. The library is well utilised but crowded and needs redevelopment and expansion to accommodate a number of multi-function learning areas.</li> </ol>	<ol style="list-style-type: none"> <li>Noted</li> <li>Whilst the masterplan does propose the long term redevelopment of the current library space for retail purposes, it also proposes to investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners as part of the redevelopment of the opportunity sites (either north or south) within the Bateau Bay Town Centre. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.</li> </ol>
3	D04598057	There should be no assumption that Crown Land located just outside the Study Area will remain undeveloped – the masterplan currently shows a connection pathway travelling east throughout the Study Area stopping at the subject parcel of Crown Land.	The masterplan proposes to formalise an existing pathway which currently travels east through the Study Area and continues outside of the Study Area through this parcel of Crown Land. Whilst not part of the Masterplan, should this parcel of Crown Land be developed it would be preferential for a public accessway to be maintained through this land. Options for the continuation of this accessway outside the Study Area can be investigated if and when this parcel of land is developed.
4	D04635853	Concern of little mention of Bateau Bay library. It needs to expand	The masterplan shows future development concepts for the Bateau Bay Town

No.	Doc. No.	Issue	Comment
		and be modernised – great patronage, excellent staff, good meeting place – should play an integral role in development of community facilities. The concept plans show the removal of the library for commercial/retail expansion – community concerned that an integral part of the community is being removed altogether for the sake of the retail dollar.	Centre, not the existing facilities. Whilst it does propose the long term redevelopment of the current library space for retail purposes, it also proposes to investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners as part of the redevelopment of the opportunity sites (either north or south) within the Bateau Bay Town Centre. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.
5	D04635889	<ol style="list-style-type: none"> <li>1. No real mention of library on any maps within the masterplan – indicates the library will not exist in the future.</li> <li>2. Library is well utilised and provides a range of services not available elsewhere – especially patronised by surrounding elderly population as their only access to computers/internet. Library needs to be expanded and modernised to accommodate growing population – could collocate with a Council Service Centre as many residents have problems accessing the existing Council Centres in other locations.</li> <li>3. Masterplan shows "civic square" but no detail as to uses which may be provided here?</li> <li>4. Lack of parking is an issue – new medical centre to open with no additional parking being provided. If library stays in current location or is moved, adequate parking must be provided.</li> </ol>	<ol style="list-style-type: none"> <li>1. The masterplan maps show the facilities to be retained or developed as part of the future concepts for the Bateau Bay Town Centre. The current library is not identified in the majority of the maps as it is proposed to be redeveloped for retail/commercial floorspace in the long term.</li> <li>2. Whilst it does propose the long term redevelopment of the current library space for retail purposes, it also proposes to investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners as part of the redevelopment of the opportunity sites (either north or south) within the Bateau Bay Town Centre. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.</li> <li>3. The concepts contained with the masterplan are indicative only and will be subject to further detailed design. The concept of a civic square is based on good planning principles and it features would be further developed (size, uses, location, etc) at the detailed design stage based on community demand/needs and cost.</li> <li>4. As outlined under Section 6.4 of the masterplan, a review of parking around the Bateau Bay Shopping Centre indicates that there is sufficient parking numbers but there needs to be an improvement in traffic flow and signage to ensure better use of parking to the north and rear of the Shopping Centre (which should also be improved as part of the redesigned or relocated bus interchange). Additional</li> </ol>

No.	Doc. No.	Issue	Comment
6	D04780546	Like bigger and better library at Bateau Bay	parking is proposed to accommodate new or increased developments. Whilst the masterplan proposes the long term redevelopment of the current library space for retail purposes, it also proposes to investigate opportunities to provide new multi-function learning facilities in partnership with local business and landowners as part of the redevelopment of the opportunity sites (either north or south) within the Bateau Bay Town Centre. This submission will also be passed on to Council's Lifelong Learning Unit for consideration as part of the formation of Council's draft Library Strategy.

### **4.3 Renaming of George Fulcher Playground, Killarney Vale**

---

TRIM REFERENCE: F2013/00217 - D04585187  
MANAGER: Lesley Crawley, Manager  
AUTHOR: Jacque Elvidge; Councillor Services Officer

#### **SUMMARY**

This report outlines the proposed variation to the name of the reserve currently known as George Fulcher Playground to George Fulcher Reserve. The reserve is located at the end of Cornish Avenue, Killarney Vale within Council owned Lot 26 DP 17343.

#### **RECOMMENDATION**

- 1 That Council endorse the name variation from George Fulcher Playground to George Fulcher Reserve.**
- 2 The Council publicly notify the proposal for 28 days.**
- 3 That Council apply to the Geographical Names Board (GNB) for the reserve to be named George Fulcher Reserve subject to no significant objections being received.**

#### **BACKGROUND**

The reserve proposed to be named is located at the northern end of Cornish Avenue, Killarney Vale within the Tuggerah Lake Foreshore Reserve, within Lot 26 DP 173463 (See Attachment 1 – location map). The site is locally known as George Fulcher Playground, and is sign posted as such, but the name is not registered with the NSW Geographical Names Board (GNB).

The playground is named in recognition of Cr H.G Fulcher (Horace George), who served Wyong Shire Council as a Councillor for four terms, from 1950-1962. He was elected as Shire President for eight of those years, from 1954-1962, and served on the Finance, Works, Subdivisions and Plant Committees.

The playground has deteriorated over time and the remaining equipment has been removed as it was beyond repair. This playground will not be replaced as it has been identified as being underused and there is an oversupply of playgrounds in the Killarney Vale area.

Consequently, the name George Fulcher Playground is no longer relevant, and the family of Cr H.G Fulcher have endorsed modification of the name as he has now passed away.



### **CURRENT STATUS**

The name George Fulcher Playground has not been formally adopted by Council or registered with the GNB.

Formal approval to change the name has been received from the family of Cr H.G Fulcher (please see attachment 2 of this report).

### **THE PROPOSAL**

It is proposed that Council support the change of the name from George Fulcher Playground to George Fulcher Reserve, and that this proposal be advertised for 28 days to allow for any submission to be raised by the public.

Following public notification and providing there are no significant objections received, it is also proposed that Council apply to the GNB for the reserve to be officially named George Fulcher Reserve.

### **OPTIONS**

- 1 Support the submission to modify the name from George Fulcher Playground to George Fulcher Reserve.
- 2 Not support the renaming submission.

### **STRATEGIC LINKS**

#### **Wyong Shire Council Strategic/ Annual Plan**

Nil Impact.

#### **Long term Financial Strategy**

Nil Impact.

#### **Asset Management Strategy**

Nil Impact.

#### **Workforce Management Strategy**

Nil Impact.

#### **Link to Community Strategic Plan (2030)**

Nil Impact.

**Budget Impact**

If the name change of George Fulcher Playground proceeds, alteration of the existing Type 5.1 standard reserve sign would be required to be undertaken at the cost of \$440.00+GST.

There is no cost associated with registration of names with the GNB.

**CONSULTATION**

Consultation has been undertaken with the descendants of Cr H.G Fulcher. Written approval has been received from both the son, George Fulcher, and grandson, Robert Fulcher (attachment 2 of this report).

Further community consultation is currently being undertaken with surrounding residents regarding the removal of the playground, as well as the proposal to modify the name.

In accordance with Council's Policy of Naming Public Facilities, prior to submitting a request for a name to be registered with the GNB, Council will ensure that the community was consulted with the name in anticipation that it is widely supported by the community.

**GOVERNANCE AND POLICY IMPLICATIONS**

Naming public facilities within Wyong Shire Local Government Area must be done in accordance with the guidelines set out in Council's Policy for Naming of Public Facilities (Policy No. WSC112).

Council's Policy also requires:

*"B6 To ensure the naming of public facilities is consistent with relevant legislation and GNB Guidelines where applicable."*

The GNB is empowered by the Geographical Names Act 1966 which provides it with the authority to assign names to places.

The recommendation is in keeping with Council's Policy for Naming of Public Facilities, as well as the GNB's Guidelines for determining place names and Commemorative naming.

**MATERIAL RISKS AND ISSUES**

Nil Impact.

**CONCLUSION**

The variation in name from George Fulcher Playground to George Fulcher Reserve is recommended due to the removal of the playground equipment within the reserve.

Subject to no significant objections being received following public notification, it is recommended that Council submit a naming proposal to the Geographical Names Board to modify the name George Fulcher Playground to George Fulcher Reserve.

**ATTACHMENTS**

- |   |  |           |
|---|--|-----------|
| 1 | George Fulcher playground location map   | D05560535 |
| 2 | Response from Robert Fulcher - regarding renaming of George Fulcher playground | D04010360 |



Unit 262  
Glengara Village  
220 Hansens Road  
Tumbi Umbi  
NSW 2261

Ms Rachael McWilliam  
Landscape Designer  
Sport, Leisure and Recreation  
Wyong Shire Council

**Naming of George Fulcher Playground, Killarney Vale**

(Your reference F2013/00217)

Dear Rachael,

I refer to your letter on this matter dated 2 October 2013.

My father, George, is the son of the late George Fulcher, after whom this playground was named. I have the Power of Attorney for my father and this fact is held in council's records.

I am pleased to advise that my father approves the proposal outlined in your letter concerning the ongoing recognition of his father. In fact he is delighted with the proposal.

I also advise that my wife and I are also very supportive of the proposal to recognise our grandfather and grandfather in law and look forward to taking my father to see the improved site in the near future.

Yours faithfully

  
Robert Fulcher

#### **4.4 Temporary Economic Stimulus Plan**

---

TRIM REFERENCE: F2004/00552 - D05916378  
MANAGER: Jari Ihalainen, Director  
AUTHOR: David Kitson; Senior Contributions Officer

#### **SUMMARY**

This report is to provide Council with the list of Temporary Economic Stimulus Plan (TESP) applications received prior to the closing date and to recommend a change of approach in respect to some applications that have not been finalised.

#### **RECOMMENDATION**

- 1 That Council amend the consolidated Temporary Economic Stimulus Plan, adopted by Council at its Ordinary Meeting of 13 November, 2013, by authorising the Director of Development and Building to finalise the submitted applications of the TESP via a condition of consent in preference to a Voluntary Planning Agreement.**
- 2 That Council endorse the Temporary Economic Stimulus Plan rates being applied via a condition of consent for DA/575/2013, DA/576/2013, DA/601/2013, DA/646/2013, DA/876/2013, DA/499/2013 & DA/117/2014.**

#### **BACKGROUND**

##### ***The Policy***

While the Temporary Economic Stimulus Plan (TESP) had its origins early in 2013, the current Temporary Economic Stimulus Plan (TESP) was approved by Council at its Ordinary Meeting of 13 November 2013. The TESP provides for a reduction in contributions for residential development in Wadalba, Woongarra, Hamlyn Terrace and the Warnervale Town Centre, compared to that which would normally apply under the applicable development contribution plans.

In summary the TESP requires that:

- a Voluntary Planning Agreements (VPA) must be lodged prior to 30 March 2014
- b Lots must be part of a subdivision plan issued by Council prior to 30 June 2015.
- c Medium density units are substantially commenced (completion of foundation and flooring) by 30 June 2015.

## CURRENT STATUS

### *The Applications*

The deadline for the lodgement of TESP applications has passed, however a significant number of applications are yet to be finalised.

A table is attached that provides the details of 13 developments for which an application has been made under the TESP prior to the closing date, comprising 125 residential units and 406 residential allotments with a nominal value of \$38.5M.

If all these developments meet the deadline target, the total contributions payable under the TESP will be \$11.8M, representing a discount of \$2.3 M that would otherwise be collected under the applicable contributions plans.

Given the size of some developments, it is likely that some stages may not meet the deadline targets under the TESP.

### *Progress*

**Completed TESP Applications:** Two VPAs have been approved by Council and formally executed by both parties.

**Current pending TESP Applications:** Negotiations over the form of the draft VPAs are pending for four development proposals, all of which have valid development consents. These consents contain a condition permitting the modification of contributions payable under those consents (that were calculated in accordance with the Warnervale District 7A Contributions Plan) via the execution of a VPA. A summary of the progress of these four applications is provided as follows:

- 1 The Rexel draft VPA has been the subject of protracted negotiations on the credit value for a 2.002 ha parcel of the Wadalba Environmental Corridor that is not included in any contributions plan. These negotiations have been concluded with agreement to recognise a credit of \$78,697 for this land. The applicant has however lodged a further amendment to change the lot layout and to provide an alternative approach to stormwater treatment, which includes an additional payment towards future downstream treatment. The exhibition of the draft VPA will be deferred until the amended consent is issued and there is certainty regarding all the changes, given that under the legislation any changes to an exhibited draft VPA needs to be re-exhibited. The proponent acknowledges this issue and is aware of deferred the execution.
- 2 The Vexhart draft VPA has been delayed pending negotiations over the recognition of a credit for the half road construction of Johns Road adjacent to proposed Small Park S4.
- 3 The Jennings draft VPA is expected to be returned shortly in its final form
- 4 The Yeramba draft VPA is expected to be returned shortly in its final form.

The four draft VPAs outlined above have the dual purposes of permitting the payment of the reduced TESP contribution rates (provided deadline targets are met) and thereafter the payment of contributions in accordance with the WWAHT Plan. These arrangements are in contrast with the contributions in the consent that were calculated in accordance with the Warnervale District 7A Contributions Plan that was operational at the time the consents were issued. Council will recall that the contribution rates under the WWAHT Plan are substantially lower than those under the former Warnervale District 7A Contributions Plan. Because of the size of these developments it is likely that some stages will not meet the deadline targets, and WWAHT contribution rates will be payable.

**Proposed TESP Applications:** A further seven applications have been made under the TESP prior to the closing date. The Draft VPAs have not been finalised in respect of these development applications by Council to date for a variety of reasons, including:

- Delays in the assessment of development applications due to flora & fauna issues
- Resolution of ownership issues
- A request to defer the processing
- DA has only recently been submitted and is under review

The VPA's for these applications are less complicated in terms of S94 contribution reductions given that:

- The level of contributions and credits will be assessed under the WWAHT Plan as there are no valuation issues associated from transitioning from the former plan to the new one.
- They do not involve any payments or credits under the Deed for the "Additions to the Wadalba Corridor", with the exception of one application.

It is proposed that these TESP applications be finalised via a condition of consent in preference to via a VPA. This approach has a number of advantages, including that it will enable:

- The TESP applications to be processed more quickly by avoiding the 28 day exhibition period.
- TESP applications to be considered concurrently with DA assessment.
- Will avoid the complications where the owner of the land is not the Developer.
- Will avoid the need to accommodate changes in ownership.
- Applicants to avoid the cost of engaging solicitors to review draft VPAs.
- Applicants to avoid Council cost of preparing VPAs, which would otherwise be recouped under the TESP.
- Simpler administration as all contribution requirements will be in one document.

#### **THE PROPOSAL**

Given that the WWAHT Plan was adopted by Council at its Ordinary Meeting of 13 December 2013 there would appear to be no reason why the TESP cannot be applied through a condition of consent for those outstanding applications where development consent has not yet been issued.



It is proposed that Council specifically authorise the Director of Development & Planning to apply the TESP via a condition of consent in preference to a VPA for the 7 outstanding applications.

It is proposed to finalise the current pending TESP applications (which relate to consents that have already been issued) via VPAs and for these to be reported to Council separately.

### **STRATEGIC LINKS**

The proposed amendment to the TESP is directed towards the following objectives under the Community Strategic Plan:

- Objective 6 – *“a strong sustainable business sector and increased local employment built on the Central Coast’s business strengths”*
- Objective 3 – *“access to a diverse range of affordable and coordinated facilities, programs and services”*, including affordable housing.

### **Long term Financial Strategy**

The TESP is for a limited period and will thus have a limited impact on Council’s long term financial strategy. As indicated above, the maximum deficit that the TESP will create in the WWAHT Plan and the WTC Plan is \$2.3 M. The proposed changes (allowing contributions to be imposed via Conditions of Consent) will not materially impact on the operation of the TESP.

### **Budget Impact**

The implementation of the TESP will result in lower contribution receipts.

As contribution rates are calculated from the estimated cost of works to be funded under the Contributions Plan, Council will at some point in the future need to address any shortfall in the Contributions Plans.

Council has previously resolved to develop a strategy for infrastructure delivery that takes into account any loss of development contributions under the TESP. Council’s Property & Economic Development department and Finance section are actively working on addressing this issue.

### **MATERIAL RISKS AND ISSUES**

The implementation of the TESP via VPAs or through a condition of consent will likely eliminate any risk of non-payment of contributions.

### **CONCLUSION**

The TESP has been taken up by a considerable number of developers and will likely result in increased economic activity.

#### **4.4 Temporary Economic Stimulus Plan (contd)**

---

While only two TESP VPAs have been finalised to date, draft VPAs for a further four are being finalised and will be exhibited in the very near future.

For the reasons outlined in this report, it is recommended that the remaining TESP applications be dealt with via a condition of consent as opposed to via a VPA.

#### **ATTACHMENTS**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Temporary Economic Stimulus Plan - Consolidated Policy - 13 November 2013 | D05916148 |
| <b>2</b> | Final TESP Applications List  | D05916155 |

## TEMPORARY ECONOMIC STIMULUS PLAN (TESP)

Adopted by Council 13 November 2013



1. The contribution rates under the TESP shall be:
  - a. In the Contribution Plan 7A district
    - i. \$25,000 per lot or the contribution rate under the adopted Wadalba, Woongarra & Hamlyn Terrace Development Contributions Plan (excluding the "Addition to the Wadalba Corridor" Deed contribution") where it is lower than \$25,000 per lot.
    - ii. \$10,000 per 1 bedroom unit.
    - iii. \$13,000 per 2 bedroom unit.
    - iv. \$18,000 per 3 bedroom unit.
    - v. \$22,000 per 4 bedroom unit.
  - b. \$625,000 per ha of Net Developable Area in the residential zoned land in the Warnervale Town Centre (\$25,000 x adopted density of 25 dwellings per ha).
2. To be eligible for the contribution rate under the TESP:
  - a. A Voluntary Planning Agreements (VPA) must be lodged prior to 30 March 2014.
  - b. Lots must be part of a subdivision plan issued by Council prior to 30 June 2015.
  - c. Medium density units are substantially commenced (completion of foundation and flooring) by 30 June 2015.
3. Applicants need to negotiate the preparation of a VPA with Council to access the TESP contribution rate.
4. Council will accept VPAs that are lodged accompanied by or related to development applications and these shall be deemed to be properly lodged and capable of being executed and effective.
5. Council will use its best endeavours to negotiate VPAs, for public exhibition, within 30 days of lodgement.
6. The Director of Development and Building is authorised to negotiate VPAs.

7. That TESP VPAs shall include the following provisions:
- a. Credits for land dedication shall be at the rates in the draft or adopted Wadalba, Woongarra & Hamlyn Terrace Development Contributions Plan or in the current Section 94 plan for the Warnervale Town Centre.
  - b. Credits for works shall be in accordance with the cost estimates in the draft or adopted Wadalba, Woongarra & Hamlyn Terrace Development Contributions Plan or in the current Section 94 plan for the Warnervale Town Centre unless otherwise agreed to by Council (Works in Kind post VPA agreement).
  - c. For approved medium density development the payment of contributions shall be made prior to the issue of the occupation certificate and/or subdivision certificate whichever is earlier.
  - d. Existing owners will be able to assign their interest in an executed VPA to a new owner without the need for its registration.
  - e. The requirement that environmental protection land and buffers that are not included as a contribution item in the contributions plan be dedicated at no cost to Council.
  - f. For land that is the subject of the multiparty deed ("The Deed") for the "Additions to the Wadalba Corridor":
    - i. Confirmation that the payment required under the Deed is in addition to the adopted contribution rate under the TESP.
    - ii. Commitment to the terms of the Deed for the payment of cash and/or the offsetting of the Deed contributions against the value of land dedicated under the Deed or the WWAHT Contributions Plan or works undertaken under the WWAHT Contributions Plan.
    - iii. That any Wadalba corridor contribution be subject to individual negotiation.
8. The administration fee under Council Deferred Payment Policy that would otherwise apply to medium density units shall be waived.

## Final list of Applications made under the Temporary Economic Stimulus Plan

	TEMPORARY ECONOMIC STIMULUS PLAN								Under Contributions Plans		Under the Temporary Economic Stimulus Plan		
	DA no.	Development Type	Owners	Property Description	Value of Development	No of Resid. Units	No of Lots	Catchment	Contributions Rate	Total Contributions	Contribution rate	Total Contributions	Potential Loss of Revenue
completed	DA/374/2013	10 residential units	Ecclesia (formerly Wadalba Central Development Pty Ltd)	Lot 255 DP 1038214, 35 Figtree Boulevard, Wadalba	\$140,000	10		E	\$31,666	\$246,994	3 bed units -\$18,000, 2 bed units \$13,000	\$170,000	\$76,994
	DA/375/2013	9 residential units	Ecclesia (formerly Rexel Pty Ltd)	Lot 317 DP 1083445 & Lot 2604, DP 1119536, 1 Vine Lane, Wadalba	\$1,260,000	9		E	\$31,666	\$220,606		\$152,000	\$68,606
Recommend complete via VPAs	DA/455/2007/C	45 residential lots	Vexhart Pty Ltd	Lot 432 DP 1080786 & Lot 11 DP 1107413	\$1,786,000		45	F	\$30,472	\$1,371,253	\$25,000	\$1,125,000	\$246,253
	DA/1082/2011/A	103 residential lots	Rexel Pty Ltd	Lot 229 & 230 DP 1105837, 155 Johns Rd, Wadalba	\$4,087,000		103	SW	\$24,942	\$2,568,985	\$24,942	\$2,568,985	\$0
	DA/745/2008/A	83 residential lots	AV Jennings Properties Ltd	Lots 1 & 2 DP 51442, Lot 2 DP 208596, Lot A DP 381268, 600-610 Pacific Highway, & 87-113 Louisiana Road, Hamlyn Terrace	\$4,087,000		83	D2	\$30,377	\$2,521,328	\$25,000	\$2,075,000	\$446,328
	DA/281/2011	30 residential lots	Yeramba (Stage 1)	Lots 9 & 10 DP 7738, 71-77 Sparks Rd, Warnervale Town Centre			30	WTC - P1	\$759,041	\$577,402	\$625,000	\$475,438	\$101,965
		14 residential lots	Yeramba (Stage 2)				14	WTC - P1	\$759,041	\$600,743	\$625,000	\$494,656	\$106,087
		39 residential lots	Yeramba (Stage 3)				39	WTC - P1	\$759,041	\$600,743	\$625,000	\$494,656	\$106,087
		17 residential lots	Yeramba (Stage 4)		\$5,000,000		17	WTC - P1	\$759,041	\$370,260	\$625,000	\$304,875	\$65,385
		9 residential lots	Yeramba (Stage 5)				9	WTC - P1	\$759,041	\$335,876	\$625,000	\$276,563	\$59,313
13 residential lots		Yeramba (Stage 6)				13	WTC - P1	\$759,041	\$527,685	\$625,000	\$434,500	\$93,185	
4 residential lots	Yeramba (Stage 7)			4	WTC - P1	\$759,041	\$218,528	\$625,000	\$179,938	\$38,590			
Recommended completion via Condition of Consent	DA/499/2013	8 lots	Bimby Properties Pty Ltd	Lots 711 DP 1041621 & Lot 432 DP 1145240, 44 Hakone Rd, Woongarra	\$317,000		8	B2	\$33,703	\$269,621	\$25,000	\$200,000	\$69,621
	DA/575/2013	12 residential units	N.L.Gentile Pty Ltd	Proposed Lot 102 in subdivision of Lot 1531, DP 115947 proposed in DA/568/2013, 539 Pacific Highway, Wadalba	\$1,806,000	12		E	\$31,666	\$265,993	3 bed units -\$18,000, 2 bed units \$13,000	\$186,000	\$79,993
	DA/576/2013	12 residential units	N.L.Gentile Pty Ltd	Proposed Lot 101 in subdivision of Lot 1531, DP 115947 proposed in DA/568/2013, 539 Pacific Highway, Wadalba	\$1,824,000	12		E	\$31,666	\$316,659	3 bed units -\$18,000, 2 bed units \$13,000	\$216,000	\$100,659
	DA/601/2013	22 residential units (8 x 3 bed & 14 x 2 bed)	Thomas Paul Property Invest Pty Ltd	Lot 118 DP 1148220, Lot 221 DP 1106339, Lot 127 DP 1137576, part Lot 1 DP 347696, 9 Dahlia Avenue, Hamlyn Terrace	\$2,346,806	22		C2	\$30,340	\$442,961	3 bed units -\$18,000, 2 bed units \$13,000	\$326,000	\$116,961
	DA/646/2013	60 residential units	Miss Z Baldock & Mrs A P Lloyd	Lots 62 & 63 DP456250, 147-169 Mataram Road, Woongarra	\$14,227,400	60		B4	\$25,983	\$1,299,149	3 bed units -\$18,000, 2 bed units \$13,000	\$1,077,000	\$222,149
	DA/876/2013	29 lot subdivision	N.L.Gentile Pty Ltd	Proposed Lot 103 in subdivision of Lot 1531, DP 115947 proposed in DA/568/2013, 539 Pacific Highway, Wadalba	\$1,151,000		29	E	\$31,666	\$918,310	\$25,000	\$725,000	\$193,310
	DA/117/2014	12 lots	M. Percy	Lot 5 DP 1172650, Salamander Rd, Wadalba.	\$476,000		12	F	\$30,472	\$365,667	\$25,000	\$300,000	\$65,667
<b>TOTAL</b>	<b>13</b>				<b>\$38,508,206</b>	<b>125</b>	<b>406</b>			<b>\$14,038,762</b>		<b>\$11,781,610</b>	<b>\$2,257,152</b>

## 4.5 Community Subsidy Program and Sport & Cultural Sponsorship Program Applications

---

TRIM REFERENCE: F2008/02110 - D05947883  
MANAGER: Julie Vaughan, Manager  
AUTHOR: Kay Matthews; Administration Assistant

### SUMMARY

Consideration of applications for Community Subsidy Program and Sport and Cultural Sponsorship Program funding for period ending 31 January 2014.

### RECOMMENDATION

- 1** That Council allocate \$2,365.00 from the 2013-14 Community Subsidy Program as follows:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Funding Recommended</i>
<i>Gwandalan-Summerland Point Rural Fire Brigade</i>	<i>Hire of Mannering Park Oval for fundraiser for McGrath Foundation to place Breast Care Nurses in local communities.</i>	<i>\$181.00</i>
<i>National Seniors Australia - Central Coast, Wyong Inc</i>	<i>Support with digital colour printing to increase membership and diversify services delivered to our local seniors.</i>	<i>\$1,000.00</i>
<i>Impact 4 life church / 4 Hope Ministries</i>	<i>Hire of Gwandalan Community Centre Hall for community kitchen - 5 March 2014 thru 17 December 2014</i>	<i>\$1,184.40</i>

- 2** That Council allocate \$4,000.00 from the 2013-14 Sport and Cultural Sponsorship Program as follows:

4.5 Community Subsidy Program and Sport & Cultural Sponsorship Program Applications (contd)

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Funding Recommended</i>
<i>Mrs Heidi McTernan</i>	<i>Representing Central Coast - Hunter team to participate in the National Touch League in Coffs Harbour</i>	<i>\$250.00</i>
<i>Mrs Jodi Dillon</i>	<i>Representing Central Coast - Hunter team to participate in the National Touch League in Coffs Harbour</i>	<i>\$250.00</i>
<i>Mr Dylan Clark</i>	<i>Representing Australian Indigenous team in Oztag Oceania Cup in New Zealand</i>	<i>\$1,000.00</i>
<i>Mr Jack Barr</i>	<i>Representing Australian Futsal Association in Malaysian tour with the AFA All Star U12s Futsal Team, including playing against the Malaysian representative team.</i>	<i>\$1,000.00</i>
<i>Mr Kyle Schneider</i>	<i>Representing NSW in Australian boxing championships in Fremantle Western Australia</i>	<i>\$500.00</i>
<i>Mr Mitchell Leard</i>	<i>Representing Australia in 'Australian Expos Baseball' 2014 USA Tour</i>	<i>\$1,000.00</i>

- 3 That Council decline applications for the reasons indicated in the table below and the applicants be advised and where relevant, directed to alternate funding programs:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Assessment</i>
<i>Mr Rod Dillon</i>	<i>Representing Central Coast – National Touch League Touch Football Tournament in Coffs Harbour</i>	<i>Applicant has previously received funding this financial year</i>

## BACKGROUND

Council currently provides \$30,000.00 annually for the Community Subsidy Program, which has small grants to support community groups with in-kind services, to enable a balanced and equitable approach to the provision of subsidised access to all Wyong Shire Council community resources. The available balance for this program as at 6 March 2014 is \$28,156.54.

#### **4.5 Community Subsidy Program and Sport & Cultural Sponsorship Program Applications (contd)**

---

Council also currently provides \$20,000.00 annually for the Sport and Cultural Sponsorship Program, which assists Wyong Shire residents to participate in sporting and cultural events of Regional, State and/or National significance, for which they may not be able to attend due to financial hardship. The available balance for this program as at 6 March 2014 is \$10,850.00.

Funding is provided every two months for these two programs.

This report provides recommendations for funding and details on the applications' program summaries.

#### **ATTACHMENTS**

Nil



#### **4.6 Wyong Shire Council's Submissions in response to the Independent Local Government Review Panel and Local Government Acts Taskforce Final Reports**

---

TRIM REFERENCE: F2004/06400 - D05262635

MANAGER: Brian Glendenning, Acting Director Development and Building

AUTHOR: Megan Cooper; Legal Officer

#### **SUMMARY**

The NSW Independent Local Government Review Panel and Local Government Acts Taskforce completed and released their final reports on 8 January 2014.

Wyong Shire Council (Council) made submissions in response to both final reports to the Office of Local Government on Friday 4 April 2014

#### **RECOMMENDATION**

***That Council receive and endorse Wyong Shire Council's submissions to the Office of Local Government in response to the NSW Independent Local Government Review Panel Final Report and the Local Government Acts Taskforce Final Report.***

#### **BACKGROUND**

The Minister for Local Government released the Local Government Review Panel and Local Government Acts Taskforce final reports on 8 January 2014. The deadline for submissions in response to the final reports was 4 April 2014.

Wyong Shire Council provided submissions on both reports during their development to the Office of Local Government, with a number of Wyong Shire Council's recommendations incorporated into the final reports. Upon release of the final reports, Wyong Shire Council held a briefing for Councillors on 26 February 2014.

Wyong Shire Council staff have reviewed the final reports' recommendations and assessed the impact of those recommendations on the function of Wyong Shire Council, the community and the local government sector. Wyong Shire Council's elected body was also invited to provide comment on the two reports. The feedback from Wyong Shire Council staff and Councillors formed the basis of Wyong Shire Council's submissions in response to the final reports.

**4.6 Wyong Shire Council's Submissions in response to the Independent Local Government Review Panel and Local Government Acts Taskforce Final Reports (contd)**

---

**ATTACHMENTS**

<b>1</b>	NSW Independent Local Government Review Panel Final Report 'Revitalising Local Government'	Enclosure	D06155791
<b>2</b>	Mayoral Cover Letter - Wyong Shire Council Submission in Response to the NSW Independent Local Government Review Panels Final Report 4-4-2014	Enclosure	D06558235
<b>3</b>	Wyong Shire Council Submission- response to NSW Independent Local Government Review Panel Final Report	Enclosure	D06581827
<b>4</b>	Attachment to WSC Submission to LGIRP - North Wyong Shire Structure Plan	Enclosure	D06581920
<b>5</b>	Attachment to WSC Submission to LGIRP - Settlement Strategy Executive Summary	Enclosure	D06581413
<b>6</b>	Attachment to WSC Submission to LGIRP - Part 1 - Introduction to the Settlement Strategy	Enclosure	D06581481
<b>7</b>	Attachment to WSC Submission to LGIRP Part 2 - Planning for Our Community	Enclosure	D06581544
<b>8</b>	Attachment to WSC Submission to LGIRP - Part 3 - Planning for Utilities Infrastructure	Enclosure	D06581550
<b>9</b>	Attachment to WSC Submission to LGIRP - Part 4 - Planning for Transport	Enclosure	D06581615
<b>10</b>	Attachment to WSC Submission to LGIRP - Part 5 - Planning for Environment	Enclosure	D06581619
<b>11</b>	Attachment to WSC Submission to LGIRP - Part 6 - Planning for Natural Hazards	Enclosure	D06581666
<b>12</b>	Attachment to WSC Submission to LGIRP - Part 7 - Planning for Economy Employment	Enclosure	D06581695
<b>13</b>	Attachment to WSC Submission to LGIRP - Part 8 - Planning for Settlements and Housing	Enclosure	D06581773
<b>14</b>	Attachment to WSC Submission to LGIRP - Part 9 - Planning for Land Use	Enclosure	D06581832
<b>15</b>	Attachment to WSC Submission to LGIRP - Part 10 - Planning for Implementation	Enclosure	D06581910
<b>16</b>	Local Government Acts Taskforce Final Report 'A New Local Government Act for New South Wales and Review of the City of Sydney Act 1988'	Enclosure	D06509998
<b>17</b>	Mayoral Covering Letter - Wyong Shire Council Submission - Local Government Acts Taskforce Final Report	Enclosure	D06558230
<b>18</b>	Final WSC Submission - Local Government Acts Taskforce Final Report	Enclosure	D06583237

#### **4.7 2014 National General Assembly of Local Government**

---

TRIM REFERENCE: F2004/06497 - D06053716

MANAGER: Lesley Crawley, Manager

AUTHOR: Jacque Elvidge; Councillor Services Officer

#### **SUMMARY**

The 2014 National General Assembly of Local Government will be held at the National Convention Centre in Canberra between 15 and 18 June 2014.

#### **RECOMMENDATION**

- 1 That Council note that motions are to be resolved by Council and submitted to the National General Assembly of Local Government prior to Thursday 17 April 2014.**
- 2 That Council endorse the following motions for submission to the National General Assembly of Local Government:**

- a *Regional Tourism***

***That the Australian Local Government Association calls upon the Commonwealth Government to establish a Regional Australia Tourism program that provides funds to Regional and Rural Councils to develop and grow their tourism sectors.***

***That the Federal Government recognises that tourism is crucial to Regional Australia and that the establishment of a Regional Australia Tourism Program will provide the leadership and incentive to attract private sector investment and will create local jobs.***

- b *Central Coast Regional Airport***

***That the Australian Local Government Association calls upon the Commonwealth Government to provide resources (key Commonwealth Government staff) to assist in developing and delivering a Regional Airport for the NSW Central Coast. The Central Coast Region believes this project will be a key catalyst to stimulate economic investment and to create local jobs in this region of 330,000 people.***

**c** *Regional Development Australia*

*That the Australian Local Government Association calls upon the Commonwealth Government to review the structure, operation and funding arrangements to Regional Development Australia to ensure its strategies and outcomes align to the strategic directions that the Local Governments in the regions are taking on delivering essential infrastructure to support economic growth and to create local jobs.*

**d** *Financial Assistants Grants*

*That the Australian Local Government Association calls upon the Commonwealth Government to remove the minimum payment within Financial Assistance Grants (FAG) methodology and replace it with a methodology which gives greater recognition to population growth and the associated infrastructure requirements and secondly to Councils that have infrastructure backlogs. This would support Councils that have Communities with the greatest growth pressure/need and with the focus placed on infrastructure backlogs and infrastructure for future growth will ensure that our existing and new communities are planned and established with an adequate standard of service.*

- 2** *That Council authorise interested Councillors and the General Manager or his delegate to attend the 2014 National General Assembly of Local Government between 15 and 18 June 2014.*
- 3** *That Council reimburse expenses incurred by Councillors and accompanying persons attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.*
- 4** *That Council determine the voting delegate should the Mayor be unable to attend.*

## **BACKGROUND**

The National General Assembly of Local Government (NGA) is the largest and most important event on the Local Government calendar. It is convened by the Australian Local Government Association (ALGA) for local councils across Australia to develop and express a united voice on the core issues affecting local government and their communities.

The NGA provides an important platform to showcase local government to influential decision-makers of the Federal Government, at both the political and departmental levels.

Discussions and debate at the NGA will focus around the theme "Getting Down to Business", please see extract from the ALGA website below (<http://alga.asn.au/?ID=11679>):

***“Getting down to Business***

*Local government is a pragmatic and hands-on level of government. Our focus is the provision of services, infrastructure, planning and coordination at the local level. In short, local government is the level of government that responds to local needs, challenges and opportunities; and in meeting community needs local government plays a critical role in Australia's federal system of Government.*

*The new federal government has promised a comprehensive review of the Federation. In his book, *Battlelines*, Prime Minister Tony Abbott, discussed his views on the States and the Federation. In essence his concern is that in our federation ‘...often the states have the legal responsibility for issues that only the federal government has the political authority and financial muscle to resolve’. The review of the Federation is one in which local government has a vital interest, and it is important that local government nationally is active in the debate.*

*On 22 October 2013 the Government announced the development of a Federation White Paper that will focus on roles and responsibilities of the levels of government and that will have a major impact of federal financial relations.*

*This year's National General Assembly is an important opportunity for local government to take a serious look at what business local government is in, how we do it and where we fit in the Federation both today and in the future. The National General Assembly brings our sector together providing a platform for serious consideration and policy development.*

*The 2014 NGA will be held in Canberra from 15 - 18 June.”*

**Call for Motions**

The 2014 National General Assembly of Local Government is an opportunity for local government to identify and discuss issues which it believes should be addressed by the new Federal Government. Every council has the opportunity to raise relevant issues for debate at the Assembly and is invited to participate in the 2014 NGA by submitting a motion for consideration.

The guidelines for motions eligibility, Call for Motions Guidelines and Background, and the background paper 'Getting Down to Business', are provided as attachments for this report.

All motions will need to be submitted electronically through the designated form, which can be found at <http://alga.h3consulting.net/motions/>.

The closing date for motion submissions will be Thursday 17 April 2014.

**CURRENT STATUS**

The Council may choose to submit or not submit motions to the NGA.

The Council may or may not agree to reimbursement of expenses incurred.

## STRATEGIC LINKS

The Assembly is an opportunity for Councillors to bring forward issues affecting the Shire that are of National relevance.

## Financial Implications

The table below indicates the cost for attendance at the Conference and associated travel expenses per Councillor:

National General Assembly 2014	(\$)
Registration (early bird rate payment prior to 28 April 2014)	\$899.00
Travel (Own vehicle / petrol – based on 2.5L or more)	\$560.00
Travel (flight)	\$400.00 (Sydney Return) \$750.00 (Newcastle Return)
Accommodation (Based on approx. \$345 per night for 3 nights)	\$885.00
Other disbursements (Meals, taxis, associated events etc.)	\$400.00
Partner Registration	\$240.00
<b>Total - estimate</b>	<b>\$3,324.00 (Newcastle flights)</b> <b>\$3,134.00 (own vehicle)</b> <b>\$2,974.00 (Sydney flights)</b>

## CONSULTATION

Nil Impact

## GOVERNANCE

Reimbursement of costs is in accordance with the provisions of Council's Facilities and Expenses Policy for Councillors.

Clause D7 of the Policy provides that WSC will reimburse expenses for attendance at eligible conferences, seminars, workshops and professional development courses for each elected member including attendance at the annual NSW Local Government Association Conference and National General Assembly.

## CORPORATE RISKS

Nil impact.

**CONCLUSION**

The Assembly is an opportunity for Council to ensure issues of concern are debated widely and for Councillors to network with other elected representatives from throughout Australia.

Submission made by Councillors on behalf of Council will ideally require presentation at the Assembly. Attendance by the appropriate Councillor(s) would be necessary if submissions are made.

Motions submitted to the National General Assembly must be by resolution of Council.

**ATTACHMENTS**

1	2014 National General Assembly of Local Government - Background Paper	D06053816
2	Call for Motions Guidelines and Background Information	D06053858
3	2014 National General Assembly Registration Brochure	D06053861
4	A - Regional Tourism - 2014 NGA Motion	D06509991
5	B - Central Coast Regional Airport - 2014 NGA Motion	D06509995
6	C - Regional Development Australia - 2014 NGA Motion	D06510005
7	D - Financial Assistance Grants - 2014 NGA Motion	D06510059

**National General Assembly of Local  
Government**

**15 - 18 June 2014**

**Call for Motions**

**'Getting Down to Business'**

**Discussion Paper**



***Purpose***

The National General Assembly of Local Government is an important opportunity for you and your council to influence the national policy agenda.

Your council is invited to submit notices of motion/s that can be debated on the floor of the National General Assembly (NGA) that can assist councils nationally to meet the needs of local communities across the country.

To assist you and your council to identify motions that address the theme of the NGA the ALGA Secretariat has prepared this short discussion paper. You are encouraged to read all of the sections of the Paper, but are not expected to respond to every question contained in them. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, motions must follow the following principles:

1. Be relevant to the work of local government nationally;
2. Complement or build on the policy objectives of your state and territory local government association; and
3. proposes a clear action and outcome.

***The Process***

Motions should be lodged electronically using the online form available on the National General Assembly Website at: [www.alga.asn.au](http://www.alga.asn.au). All motions require among other things: a contact officer; a clear national objective; a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than Friday 17 April 2014, electronically in the prescribed format.

All motion submitted will be reviewed by the National General Assembly Committee as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

For more information, please contact the 2014 Director National Events, Josh Thompson, on (02) 6122 9400.

### ***Preamble***

The 2014 NGA is being held against a backdrop of several key developments. Each of them could profoundly redefine the operation of Australia's system of government. These include

- the establishment, by the Commonwealth Government, of a National Commission of Audit;
- a promise within two years of coming to office to develop a White Paper on the Reform of the Federation;
- a commitment by all jurisdictions including the Australian Local Government Association (ALGA) through the Council of Australian Government's (COAG), to reduce duplication between governments; and
- a promise to develop a White Paper on Taxation within two years of coming to office.

Each of these are significant undertakings in their own right, but taken together, they could substantially help reshape the operation of the Australia federated system of government.

It is imperative that local government is an active participant in these processes and that we take every opportunity to influence the outcomes of these White Paper processes. The 2014 NGA is a great opportunity to commence this discussion.

The theme of the 2014 National General Assembly is 'Getting Down to Business'. It is a theme that invites NGA delegates, councils and interested stakeholders to reflect on the roles and responsibilities of local government, its funding and relative place in the Federation. It's a theme that enables local government to define for itself:

- what business local government is in;
- the resources we need to do it; and
- what we should expect from the Commonwealth and what we should expect from state and territory governments. In short how local government should fit in the Federation.

It's a theme that enable your council to engage with other councils from across the country to inform the national debate, and ALGA, on the issues contained in these important national processes, in particular the Government's White papers.

### **National Fiscal Settings**

On 14 September 2013 the Federal Coalition was elected to Government. In coming to office the Government foreshadowed a deterioration in the federal budget position since the 2013 Pre-Election Economic and Fiscal Outlook (PEFO) and the need for a review of the current split of roles and responsibilities between levels of government. In December 2013 the Government's budget position was confirmed with the release of the 2013 - 14 Mid-Year Economic and Fiscal Outlook (MYEFO) which reported budget deficits totalling \$123 billion across the forward estimates. Further it suggests that '... Without policy change and taking no remedial action, deficits would be projected in each and every year to 2023-24'.

While the Commonwealth expressed concern about the sustainability of its budget position, in particular revenues, state, territories and local government have similar concerns. State and territory governments regularly report financial constraints and the limitation of, and distribution of, the Goods and Services Tax (GST), the inadequate intergovernmental

financial transfers to meet growing demand for their services and conditions placed upon national reforms, such as school and hospital funding.

Further, local government itself, that has well documented financial sustainability challenges included in a number of independent reports including the PricewaterhouseCoopers, National Financial Sustainability Study of Local Government commissioned by ALGA in 2006. The latter report highlighting the financial challenges councils face in particular in meeting the infrastructure backlog and underspend.

As a consequence, coupled with Australia's highly centralised taxation collection system, all state and territory governments and local government have sought changes to intergovernmental financial transfers from the Commonwealth, as well as options for increasing own source revenues.

#### ***QUESTIONS?***

***Are there things that the could be done to assist local government to expand own-source revenues?***

***Are there specific initiatives the Commonwealth can implement that improve the financial sustainability of local government?***

***Are there things that the Commonwealth could do to assist local government nationally to improve its efficiency and effectiveness?***

#### **The Commonwealth National Commission of Audit**

In addressing the Commonwealth's challenges, the Government foreshadowed the establishment of a National Commission of Audit which would in broad terms, examine the details of what the Commonwealth Government does and whether it could be done better and more cost effectively.

The National Commission of Audit was established in October 2013 and required to complete its work in two Phases. The report on the first Phase being due to the Prime Minister, Treasurer and Minister for Finance by the end of January 2014.<sup>11</sup> This Phase was among other matters to "... assess the current split of roles and responsibilities between and within the Commonwealth government and State and Territory governments, including areas of duplication. In relation to activities performed by the Commonwealth, the Commission is asked to identify:

- whether there remains a compelling case for the activity to continue to be undertaken; and if so,
- whether there is a strong case for continued direct involvement of government, or whether the activity could be undertaken more efficiently by the private sector, the not-for-profit sector, the States, or local government.

---

<sup>11</sup> This Report is not available publicly.

This second dot point is particular relevant for the NGA with the direct reference to local government but it does not address the resourcing issues involved if the Commonwealth decided to transfer a specific role or a responsibility to the other potential service providers.

A full copy of the National Commission of Audit Terms of Reference is included as Attachment 1.

At the time of writing it is expected that the Commission will have completed or almost completed its Phase 1 Report to the Government. Unfortunately, the Commission's Phase 1 Report will not be a public document and therefore we cannot provide any specific information on the outcomes of the Commissions' deliberations. The Phase 2 Report focuses on the internal managerial matters and Commonwealth controls of its own financial expenditure. Both Phase 1 and 2 will presumably be directly relevant to the Federal Budget which will be brought down in May 2014 prior to the NGA.

The Budget therefore will be the first opportunity for the Government to flag to the Australian people how it proposes to address financial sustainability challenges in the short to medium term. However, more importantly for the longer term, the Government has committed to develop a White Paper on the Reform of the Federation and a separate White Paper on Taxation. The Government has set itself 2 years to complete these tasks and has indicated that it will take the outcome of these important processes to the next election.

#### **The 1996 National Commission of Audit**

As previously mentioned, the current Commission of Audit reports are not public documents and therefore this paper cannot provide insight into the Audit's content. However, for illustrative purposes it may be instructive to highlight the approach taken by the National Commission of Audit conducted for the Government led by the Prime Minister the Hon. John Howard Government in 1996. In particular, to highlight the findings of this Commission in relation to local government and regional development matters. The 1996 commission's report was essentially based on a strict interpretation of constitutional authority of the Commonwealth and its responsibilities. In doing so, it should be noted that the 1996 Audit Commission Report was an independent report and was not Government policy. Indeed several aspects of the 1996 Report were considered by the Government and rejected, including the view that the Commonwealth did not have a role in regional development.

The 1996 National Commission of Audit was asked to examine a wide range of matters which are substantially similar to of the current Audit. That Commission was Chaired by Professor Bob Officer and in relation to regional development, urban management and local government found: '.... Current (1996) arrangements for regional development and urban management involve overlap with State and local government responsibilities. **There is no clear rationale or constitutional basis for Commonwealth involvement.** Further, whatever the objectives behind Commonwealth involvement in these areas, they are not being achieved under current arrangements.'

The Commission recommended that these programs (the Regional Development Program, Better Cities Program and Urban Flood Mitigation Program) be abolished, and while there were changes made, the Commonwealth Government continued to be involved in regional development and subsequently introduced a number of initiatives including the Sustainable Regions Program in 2001.

In relation to local government financial assistance grants, the 1996 Commission recommended that these payments be integrated into revised State payments. This was also rejected, albeit that the FAGs were to be included in the original Good and Services Tax proposal, but were subsequently excluded in the final negotiated agreement between the Howard Government and the Democrats to pass the legislation. The system of FAGs continued and the current Government has given an undertaking to maintain the current system of FAGs and other direct funding to local government such as Roads to Recovery (R2R) and the new Bridge Renewal Program.

The 1996 Commission of Audit highlights a particular view of how the Federation and the Commonwealth should work. It took the view that the Commonwealth should only deal with national matters and the states and local government should deal with everything else. It also took the view that local government is a state responsibility and while accepting the legitimacy of providing FAGs, implied they should be integrated into revised state payments. While the continued recognition of the need for FAGs by the Commonwealth is welcome, it begs the question as to what support, in particular through untied grants, should local governments expect from state and territory governments?

#### **QUESTIONS?**

*In thinking about the 1996 Commission of Audit are there any specific proposals your council has on Commonwealth - local government relations.*

*Should state and territory Governments do more to support councils including through providing direct untied funding to local government? If so what relationship would this have to Commonwealth provided FAGs?*

*Are the specific state and territory services that are Commonwealth or state responsibilities, that councils undertake that should be undertaken by the private sector or other levels of government on equity grounds? e.g. market failure?*

Note: it should be noted that the NGA should deal with national issues and that motions related to specific state matters must be addressed through state and territory local government associations. NGA Motions should focus on funding for the system of local government in Australia, and therefore apply to all states and territories.

#### **Regulation Reform**

Over recent decades governments at all levels have acknowledged the importance of microeconomic reform, including regulatory reform. The purpose of regulatory reform is to enhance Australia's productivity and competitiveness, raising potential growth rates, living standards, and better enable Australia to deal with difficult international economic circumstances.

At the December 2013 COAG meeting, first ministers, including the President of ALGA, agreed unnecessary regulation is holding back Australia's economic prosperity and development. Cutting excessive red tape and improving the efficiency and effectiveness of regulation are important parts of the productivity story.

By way of example, the COAG Communiqué highlights the following: In '... running a cafe that serves alcohol and provides outdoor dining illustrates Australia's current problems with regulation. For example, it can require the operator to navigate around 21 local, 29 State and 25 Commonwealth regulations, or sets of regulations — 75 hoops to jump through. All governments acknowledged this is not good enough, and that collective action is needed to remove the excessive burden currently placed on small business'.

In coming to office the Government has set itself a target of reducing the red tape which impacts on business, individuals and the community by at least \$1 billion per year, and that this would complement existing State deregulation activity. COAG agreed to work together on reducing red tape in four areas — manufacturing, higher education, early childhood and 'end-to-end' regulation of small businesses, with each State to target specific small business sectors.

In July 2012 the Productivity Commission Reported on its study 'Performance Benchmarking of Australian Business Regulation, Role of Local Government as Regulator'. The report notes that local laws, quasi-regulatory instruments, rules, as well as delays, information requirements, restrictions on approvals, fees and penalties can be imposed costs on business and/or be anti-competitive. However, it suggests that 'implementing and enforcing state and territory laws, rather than local laws, dominates local governments' regulatory work.

In regard to support from states to local governments it identifies the following gaps:

- insufficient consideration of local governments' capacity to administer and enforce regulation before a new regulatory role is delegated to them ;
- limited guidance and training on how to administer and enforce regulations; and
- no clear indication and ranking of state regulatory priorities.

#### ***QUESTIONS?***

***Are there areas of unnecessary areas of unnecessary regulation that impose costs on manufacturing, business and residents that can be reformed?***

***What support do councils need to implement and enforce regulation, often on behalf of states and territory government?***

***Are there areas of regulation which local government are involved that could be streamlined and how?***

#### **What Business is Local Government in?**

Local government is a pragmatic and hands-on level of government. Its focus is the provision of selected services, infrastructure, planning and coordination at the local level. In short local government is the level of government that responds to local needs, challenges and opportunities. The roles and responsibilities of local government are assigned to it through respective state and territory legislation and in all jurisdictions the relevant Local Government Acts are broadly consistent with the power of general competence, in general

terms the legislation require local government to provide for the good governance of the 'district'. In practise however, local governments roles and responsibilities are broadly confined to property services and specific policy choices to meet local community needs. They are sometime specified by statute, e.g. environmental health, constrained by access to resources, community expectations, the capacity to pay, and roles and function of the private sector and other levels of government. In simple terms councils cannot be held responsible for everything that occurs at the local level.

States and territory governments, for example, are responsible for a range of services and infrastructure at the local, regional and state level, including schools, hospitals and policing. Increasingly, over time, the Commonwealth has assumed policy, planning and funding responsibility for a range of activities including income and welfare support and selected national infrastructure such as the Auslink road network, major projects identified through Infrastructure Australia and the National Broadband Network, which have profound impacts on local communities.

While this complex stratification, and mix of roles, responsibilities and services, including those provided by the private sector contributed significantly to Australia having one of the highest standards of living in the world, it begs the question of whether there should be greater clarity in the roles and responsibilities of governments, and who should do what in the Federation. Indeed, the current system is frequently criticised as perpetuating duplication, inefficiency, cost and blame shifting between levels of government and policy and service delivery gaps. Moreover, all levels of governments face financial sustainability challenges which significantly impact on their capacity to deliver government services and infrastructure.

Examination of ABS General Government Expenses (2011 - 12) shows that local government spends around \$30.5 billion. Almost half of total local government expenditure i.e. 46 per cent is on 'Transport and Communications (primarily local roads) and 22 per cent of on 'Housing and Community Amenity, which includes waste services and in some states water and sewerage. The next highest area of expenditure is on General Public Services (which includes legislative and executive affairs and government superannuation benefits) at 18 per cent. This is followed by Recreation and Culture spending, which includes public halls and civic centres, swimming pools and beaches, national parks and wildlife, cultural institutions, etc, which is at 15 per cent.

While national averages are informative, broadly indicating the areas of local government activity state difference is also interesting. For example while the national average of spending on Transport and Communications is 24 percent, expenditure ranges from 34 per cent of total local government expenditure in Queensland and 28 per cent in Tasmania, down to 9 per cent in the Northern Territory.

Expenditure on Housing and Community Amenity nationally is 22 per cent but in NSW councils spend around 27 per cent of total expenditure in this area while in Western Australia it is 16 per cent.

Expenditure on Recreation and Culture nationally is 15 per cent of total expenditure but in Western Australia's local government expenditure it runs as high as 24 per cent and in South Australia around 22 per cent.

While this variation reflect different responsibilities, policy choices and priorities in respective states and territories, it makes defining the role of local government difficult in the

context of a review of the roles and responsibilities of each level of government. It is also sometimes criticised as causing duplication and inefficiency.

***QUESTIONS?***

*What should the core business of local government be?*

*How should the Commonwealth support that role?*

*Are the specific services including state and territory or / and Commonwealth responsibilities, that councils undertake that should be undertaken by the private sector or other levels of government on equity grounds? e.g. market failure?*

*Are there services that local government is providing that could be provided by the private sector?*

**Regulation Reduction**

The Coalition will streamline COAG meeting agendas and focus on concrete outcomes that will contribute to a Coalition government meeting the annual \$1 billion red and green tape reduction target.

We intend to make deregulation and red tape reduction a standing agenda item at COAG meetings.

Within two years of a change of government, working with the states, the Coalition will produce a White Paper on Reform of the Federation, and the responsibilities of different governments, to ensure that, as far as possible, the states are sovereign in their own sphere. The objective will be to reduce and end, as far as possible, the waste, duplication and second guessing between different levels of government that has resulted, for instance, in the Commonwealth employing 6,000 health bureaucrats even though it doesn't run a single hospital.



## National Commission of Audit Terms of Reference

### CONTEXT

- It is almost 20 years since there has been a thorough review of the scope, efficiency and functions of the Commonwealth government. During this time the size of the Commonwealth government has expanded significantly, as has the remit of some of its activities.

- It is also essential that the Commonwealth government live within its means and begin to pay down debt.

- It is therefore timely that there should be another full-scale review of the activities of the Commonwealth government to:
  - ensure taxpayers are receiving value-for-money from each dollar spent;
  - eliminate wasteful spending;
  - identify areas of unnecessary duplication between the activities of the Commonwealth and other levels of government;
  - identify areas or programs where Commonwealth involvement is inappropriate, no longer needed, or blurs lines of accountability; and
  - improve the overall efficiency and effectiveness with which government services and policy advice are delivered.

- Accordingly, the Commission of Audit ('the Commission') has a broad remit to examine the scope for efficiency and productivity improvements across all areas of Commonwealth expenditure, and to make recommendations to achieve savings sufficient to deliver a surplus of 1 per cent of GDP prior to 2023-24.

- In carrying out its work, the Commission may wish to invite submissions, consult key stakeholders and seek information from persons or bodies, where this will assist its deliberations.

- The Commission should also be guided in its work by the principles that:
  - government should have respect for taxpayers in the care with which it spends every dollar of revenue;
  - government should do for people what they cannot do, or cannot do efficiently, for themselves, but no more; and
  - government should live within its means.

### SCOPE

#### Phase 1

##### *Scope of government*

- The Commission is asked to assess the current split of roles and responsibilities between and within the Commonwealth government and State and Territory governments, including areas of duplication.

- In relation to activities performed by the Commonwealth, the Commission is asked to identify:
  - whether there remains a compelling case for the activity to continue to be undertaken; and
  - if so, whether there is a strong case for continued direct involvement of government, or whether the activity could be undertaken more efficiently by the private sector, the not-for-profit sector, the States, or local government.
- The Commission may consider and comment upon the current architecture of Commonwealth-State relations. The Commission's views on this issue will help to inform the Government's forthcoming White Paper on the Reform of the Federation.

*Efficiency and effectiveness of government expenditure*

- The Commission is asked to report on efficiencies and savings to improve the effectiveness of, and value-for-money from, all Commonwealth expenditure across the forward estimates and in the medium term, including:
  - options for greater efficiencies in the Australian Government, such as:
    - : increasing contestability of services;
    - : adoption of new technologies in service delivery and within government;
    - : consolidation of agencies and boards;
    - : rationalising the service delivery footprint to ensure better, more productive and efficient services for stakeholders;
    - : flattening organisational structures and streamlining lines of responsibility and accountability;
    - : consolidating government support functions into a single agency; and
    - : privatisation of Commonwealth assets.
  - potential improvements to productivity, service quality, and value for money across the public sector, including better delivery of services to the regions; and
  - anything that is reasonably necessary or desirable to improve the efficiency and effectiveness of government generally.
- The Commission is asked to review and report on:
  - options to manage expenditure growth, including through reviewing existing policy settings, programs and discretionary spending (such as grants);
  - savings and appropriate price signals – such as the use of co-payments, user-charging or incentive payments – where such signals will help to ensure optimal targeting of programs and expenditure (including to those most in need), while addressing the rising cost of social and other spending;
  - mechanisms that allow for the periodic evaluation of the effectiveness of all areas of expenditure in meeting their announced objectives; and

– other savings or matters that the Commission considers should be brought to the Government’s attention.

*State of the Commonwealth’s finances and medium-term risks to the integrity of the budget position*

- The Commission is asked to assess the financial position of the Commonwealth, including the state of the balance sheet, including all assets and liabilities, and Commonwealth risk expenditures.
- The Commission is asked to review and report on the long-term sustainability of the budget position, identifying key policy areas where trends in expenses and revenue pose risks to the structural integrity of the budget.
- Where possible, the Commission should identify options to address any such budget risks in the medium to long term, including by introducing appropriate incentives to encourage self-provision of services by individuals over time.

*Adequacy of existing budget controls and disciplines*

- The Commission is asked to assess the adequacy of current budgetary practices and rules (including specified timeframes and targets) in promoting efficient and effective government, disciplined expenditure, long-term fiscal sustainability and budget transparency.

**Phase 2**

*Commonwealth infrastructure*

- The Commission is asked to review and report on the extent, condition and adequacy of Commonwealth sector infrastructure and, if found to be deficient, factors that may have contributed to the current situation and possible remedies.

*Public sector performance and accountability*

- The Commission is asked to:
    - identify options for continuous assessment of programs, agencies and performance;
    - identify options for strengthening Commonwealth budgeting arrangements by:
      - : increasing independent and credible scrutiny;
      - : examining the role of the Parliamentary Budget Office, the Australian National Audit Office and the Intergenerational Report; and
      - : reviewing the way risk expenditures are accounted for.
    - report on a methodology for developing and implementing financial performance targets for Commonwealth departments and agencies (having regard to international experience and Australian best-practice, including by government business enterprises);
    - review and report on the effectiveness of existing performance metrics and options for greater transparency and accountability through improved public reporting;
    - identify options for a clearer delineation of responsibilities for policy and service delivery;
- and

– identify other savings or matters that the Commission considers should be brought to the Government’s attention.

### Reporting

- The Commission will report to the Prime Minister, Treasurer and Minister for Finance with:
  - the first phase due by the end of January 2014; and
  - the second phase due by no later than the end of March 2014.

### GENERAL GOVERNMENT EXPENSES BY PURPOSE, Local

	NSW 2011– 12 \$m	Vic 2011– 12 \$m	Qld 2011– 12 \$m	SA 2011– 12 \$m	WA 2011– 12 \$m	Tas 2011– 12 \$m	NT 2011– 12 \$m	ACT 2011– 12 \$m	Total 2011– 12 \$m
General public services	1 680	1 044	1 953	130	400	111	144	–	1044
Public order and safety	311	169	124	33	117	7	19	–	779169
Education	72	79	7	–	4	–	5	–	166
Health	81	120	50	50	57	10	5	–	374
Social security and welfare	361	884	69	115	142	30	25	–	1 626
Housing and community amenities	2 590	1 433	1 681	434	498	136	99	–	6 872
Recreation and culture	1 321	1 184	837	392	727	104	57	–	4 622
Fuel and energy	–	–	10	13	–	–	1	–	25
Agriculture, forestry and fishing	–	3	15	12	1	–	–	–	31
Mining, manufacturing and construction	214	–	91	35	32	–	–	–	373
Transport and communications	1 871	1 266	2 740	416	783	182	41	–	7 297
Other economic affairs	313	356	187	58	111	30	38	–	1 093
Public debt transactions	227	52	277	40	32	4	1	–	633
Other	546	209	135	93	188	23	22	–	1 215
<b>Total</b>	<b>9 588</b>	<b>6 796</b>	<b>8 176</b>	<b>1 821</b>	<b>3 092</b>	<b>639</b>	<b>457</b>	<b>–</b>	<b>30 569</b>

– nil or rounded to zero (including null cells)

Cat 5512.0 Government Finance Strategic, Australia 2011 - 12

### Call for Motions Guidelines and Background Information

The theme for this year's National General Assembly of Local Government (NGA) is *'Getting down to Business'*. The NGA theme reflects current issues being debated nationally and priority issues facing local government.

The NGA is your opportunity to contribute to the development of national local government policy and currently the ALGA Board is calling for motions for the 2014 NGA.

To assist Councils in preparing motions, a Discussion Paper has been prepared and is available at [www.alga.asn.au](http://www.alga.asn.au).

To be eligible for inclusion in the NGA Business Papers motions must follow the following principles:

1. Fall under the NGA theme;
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policy objectives of state and territory associations.

Motions submitted will be reviewed by the National General Assembly Committee as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

Through the review process, minor edits may be made to motions to ensure they can be included in the Business Papers. These edits will change the motion to call for action, for example to 'call on the Australian Government' to do something, to ensure relevance to local government nationally by removing state specific references, or to ensure the wording is consistent with current conventions such as referring to the Australian Government instead of the Federal Government.

To assist in facilitating efficient and effective debate, motions that cover similar matters will appear grouped together in the Business Papers and the matter will be debated only once with the lead or strategic motion being that which is debated.

Motions that are agreed to at the National General Assembly become Resolutions. These Resolutions are then considered by the ALGA Board when setting national local government policy, when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any Resolution passed at the NGA.

Motions are to be submitted online at [www.alga.asn.au](http://www.alga.asn.au) and should be received by **ALGA no later than 17 April 2014**.

The following information will be required when you submit a motion using the online form.

*Motion*

- Text of the Motion

*National Objective*

- Why is this a national issue and why should this be debated at the NGA?
- Maximum 100 words

*Summary of Key Arguments*

- Background information
- Supporting arguments
- Maximum of 300 words (additional information should be provided as speaking notes to the council representative who will move the motion at the NGA)

*Declaration*

You will need to declare that the motion has been endorsed by your Council.

For further information please contact Josh Thompson, Director National Events, on (02) 6122 9400 or [josh.thompson@alga.asn.au](mailto:josh.thompson@alga.asn.au)

PROGRAM & REGISTRATION

# Getting Down to Business

**NGA**  
2014

**National  
General  
Assembly  
of Local  
Government**

**15-18 JUNE 2014**

NATIONAL  
CONVENTION  
CENTRE  
**CANBERRA**



AUSTRALIAN LOCAL  
GOVERNMENT ASSOCIATION

REGISTER ONLINE  
[www.alga.asn.au](http://www.alga.asn.au)

## President's Welcome



Colleagues,

I invite you to attend this year's National General Assembly of Local Government (NGA) in Canberra from 15-18 June.

The NGA is the premier local government event, bringing together more than 800 mayors, councillors and senior officers from councils across Australia to develop local government policy ideas, meet with key federal politicians and hear from renowned experts on the key issues affecting local government in Australia.

I have invited the Prime Minister and the Leader of the Opposition. We will also be joined by other ministers, shadow ministers and leading public figures presenting keynote addresses which will help to focus discussions at the NGA.

The theme for this year's NGA is '**Getting Down to Business**'. There is no more relevant an issue for government across Australia at the moment. The Federal Government is working through the outcomes of its Commission of Audit and is preparing for White Papers on the Federation and our taxation system. Each of these

processes will help to shape Government in Australia in the coming years and local government needs to be in as strong a position as possible to respond to whatever changes may emerge.

This year also marks the 20th NGA. This is a time for local government to celebrate our achievements over those 20 years but also an opportunity to focus on the future and how we apply the lessons from the past.

The ALGA Board recently called for Notices of Motions for the NGA and these will set out the framework for debate. I would encourage you and your council to think through ideas or initiatives you would like to see debated at the NGA and to submit these as motions.

The NGA is your opportunity to make sure that your council's view is reflected in the national priorities identified for local government. I invite you to be part of this important event by joining your colleagues in Canberra from 15-18 June 2014.

I look forward to seeing you in Canberra.

Mayor Felicity-ann Lewis

ALGA PRESIDENT

→  
CONTENTS

President's Welcome . . . . .	2	Regional Cooperation and Development Forum . . . . .	8	Accompanying Partners Program . . . . .	12
Getting Down to Business . . . . .	3	Motions for Debate . . . . .	9	Accommodation . . . . .	13
Provisional Program . . . . .	4	General Assembly Registration Details . . . . .	10	Coach Transfers . . . . .	14
Associated Events . . . . .	5	Social Functions . . . . .	11	Car Parking . . . . .	14
Speaker Profiles . . . . .	6			Registration Form . . . . .	15



## 2014 THEME OVERVIEW

## Getting Down to Business

The National General Assembly of Local Government is an important opportunity for you and your council to influence the national policy agenda.

The 2014 NGA is being held against a backdrop of several key developments. Each of them could profoundly redefine the operation of Australia's system of government. These include:

- the establishment, by the Commonwealth Government, of a National Commission of Audit;
- a promise within two years of coming to office to develop a White Paper on the Reform of the Federation;
- a commitment by all jurisdictions including the Australian Local Government Association (ALGA) through the Council of Australian Government's (COAG), to reduce duplication between governments; and
- a promise to develop a White Paper on Taxation within two years of coming to office.

Each of these are significant undertakings in their own right, but taken together, they could substantially reshape the operation of the Australian Federal system of government.

It is imperative that local government is an active participant in these processes and that every opportunity is taken to influence the outcomes of these White Paper processes. The 2014 NGA is a great opportunity to commence this discussion.

The theme of the 2014 National General Assembly is 'Getting Down to Business'. It is a theme that invites NGA delegates, councils and interested stakeholders to reflect on the roles and responsibilities of local government, its funding and relative place in the Federation. It's a theme that enables local government to define for itself:

- what business local government is in;
- the resources we need to do it; and

- what should be expected from the Commonwealth and what we should expect from state and territory governments. In short how local government should fit in the Federation.

This NGA will provide delegates not just the opportunity to hear from political leaders, experts in their fields and prominent members of the local government sector, it will be an opportunity to network and share knowledge through panel and concurrent sessions.

Panel sessions will be focusing on the what the community and business expectations are of local government and how it fits in the sometimes complex system of political Federation that we have in Australia as well as hearing from councils who have shown themselves to be real innovators and ground-breakers in collaboration and information-sharing.

The concurrent sessions will be looking at what local government needs to do to manage the often difficult task of building and maintaining sustainability across a number of areas. This includes the challenges of finances and infrastructure, managing the impacts of our volatile environment and dealing with the complex issue of human services delivery.

Local government knows what it does best, this is an opportunity to share experiences and develop the policies that will ensure it will remain the strong and vibrant representative of our communities it is today. This NGA is about further supporting local government as it moves forward to face new challenges and it needs the voices and input of as many of you as possible.

2014 NATIONAL GENERAL ASSEMBLY

# Provisional Program

SUNDAY 15 JUNE		TUESDAY 17 JUNE	
5:00–7:00 pm	Welcome Reception	9:00 am	KEYNOTE <b>Helen Silver</b> , Chief General Manager, Worker's Compensation, Allianz; Former Secretary, Department of Premier and Cabinet, Victoria
MONDAY 16 JUNE		9:30 am	Debate on motions
9:00 am	Opening Ceremony	10:30 am	MORNING TEA
9:20 am	President's Welcome	11:00 am	Shadow Minister for Regional Development and Local Government, <b>The Hon Julie Collins</b> (Invited)
9:30 am	Prime Minister, <b>The Hon Tony Abbott</b> (invited)	11:30 pm	Debate on motions
10:00 am	KEYNOTE <b>Ken Henry AC</b> (invited)	12:30 pm	LUNCH
10:30 am	MORNING TEA	1:30 pm	PANEL SESSION Councils Getting Down to Business
11:00 am	PANEL SESSION Local Government in the Federation	3:00 pm	AFTERNOON TEA
12:30 pm	LUNCH	3:30 pm	Debate on Motions
1:30 pm	CONCURRENT SESSIONS 'Building a Sustainable Future' <ul style="list-style-type: none"> <li>• Finance and Infrastructure</li> <li>• The Environment</li> <li>• Human Services</li> </ul>	4:30 pm	Leader of the Opposition, <b>The Hon Bill Shorten</b> (invited)
3:00 pm	AFTERNOON TEA	5:00 pm	Close Day 2
3:30 pm	Collaboration on Climate Action	7:00 pm	OFFICIAL DINNER Parliament House
4:00 pm	Debate on motions	WEDNESDAY 18 JUNE	
5:00 pm	Close Day 1	9:00 am	Deputy Prime Minister and Minister for Infrastructure and Regional Development, <b>The Hon Warren Truss</b>
7:00 pm	Dinner	9:30 am	Debate on Motions
		10:30 am	MORNING TEA
		11:00 am	Minister for Immigration and Border Protection, <b>The Hon Scott Morrison</b>
		11:30 am	<b>Dr Brendan Nelson</b> , Director, The Australian War Memorial
		12:00 noon	KEYNOTE TBC
		12:20 pm	President's Closing remarks
		12:30 pm	Close

## Associated Events



### AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION BREAKFAST

**Monday 16 June, 2014 • 7:30–8:30 am**

The ALGWA National President is pleased to invite members, friends and colleagues to our 4th Annual Networking Breakfast as part of the National General Assembly. The Breakfast will be held on Monday 16 June from 7:30–8:30 am.

Seating is strictly limited, so book early. Details will be available on [www.algwa.net.au](http://www.algwa.net.au)



### ICLEI OCEANIA BRIEFING BREAKFAST

**Tuesday 17 June, 2014 • 7:15–8:30 am**

Many local governments have been implementing sustainability projects for some years. So what can Australian local governments use that is practical and useful, but also works within the broader sector to develop a joint approach to local sustainability?

Local governments are the sum of their neighbourhoods – and we want them to be thriving! What does a thriving neighbourhood look like? What examples are there, here and around the world? What are the policy and operational steps that we can take to enable our neighbourhoods to thrive?

Bookings are essential on (03) 9639 8688 or [oceania@iclei.org](mailto:oceania@iclei.org)

For further information contact: Martin Brennan, [martin.brennan@iclei.org](mailto:martin.brennan@iclei.org)



### REGIONAL CAPITALS AUSTRALIA NETWORKING BREAKFAST

**Wednesday 18 June, 2014 • 7:30–8:45 am**

Regional Capitals Australia (RCA) is an alliance of local government associations and councils from around Australia. The alliance is working to create a strong network of regional capitals that are at the forefront of federal policy and the national identity.

RCA will be holding a networking breakfast on Wednesday 18th June at the National Convention Centre during the ALGA conference. The keynote speaker for the event will be The Hon Jamie Briggs MP, Assistant Minister for Infrastructure and Regional Development.

To register for the event and for enquiries about RCA, please contact:

Email [secretariat@regionalcapitalsaustralia.org](mailto:secretariat@regionalcapitalsaustralia.org)

Phone 0422 067 858

Visit our website at [www.regionalcapitalsaustralia.org](http://www.regionalcapitalsaustralia.org)

6



## Speaker Profiles

### Prime Minister, The Hon Tony Abbott MP

Tony Abbott was sworn in as the 28th Prime Minister of Australia on 18 September 2013.

Mr Abbott was first elected as Member for Warringah in March 1994. Prior to the election of the Coalition Government on 7 September 2013, Mr Abbott had been Leader of the Opposition since 1 December 2009.

During the Howard Government, Mr Abbott served as a Parliamentary Secretary, Minister, Cabinet Minister, and Leader of the House of Representatives. As Minister for Employment Services (1998–2001) Mr Abbott oversaw the development of the Job Network and a major expansion of Work for the Dole.

As Minister for Employment and Workplace Relations (2001–2003) Mr Abbott boosted construction industry productivity through the establishment of the Cole Royal Commission.

As Minister for Health and Ageing (2003–2007) Mr Abbott oversaw the expansion of Medicare rebates to allied health professionals such as dentists and psychologists and introduced the reforms which delivered record levels of bulk billing for patients. Mr Abbott also introduced the Medicare safety net.

Prior to entering parliament, Mr Abbott was a journalist with *The Australian* and *The Bulletin*. He was press secretary and political adviser to the Leader of the Opposition, Dr John Hewson, before becoming Executive Director of Australians for Constitutional Monarchy.

Mr Abbott holds Economics and Law degrees from Sydney University. He is a Rhodes Scholar and holds a Master of Arts (Politics and Philosophy) from Oxford University. Mr Abbott is the author of four books.

### The Hon Bill Shorten MP

Bill Shorten is the Federal Member for Maribyrnong and was elected leader of the Australian Labor Party and Leader of the Opposition on 13 October 2013.

Mr Shorten completed a Bachelors degree in Arts and Law from Monash University, as well as an MBA from the Melbourne Business School.

Bill has since worked as a union organiser, union secretary, as a member of the ACTU executive, as a Member of Parliament and as a Minister in a Labor Government.

Before his promotion to the Ministry, Mr Shorten was the Parliamentary Secretary for Disabilities, Children's Services and Victorian Bushfire reconstruction. Bill was first sworn into the Labor Ministry in September 2010 and promoted to Cabinet in December 2011.

As a senior member of the Labor Government, Bill played a key role in securing a number of historic reforms including establishing DisabilityCare and increasing universal superannuation to 12 per cent.

As Minister for Workplace Relations, Bill continued the Labor Government's ongoing commitment to a fair and productive workplace relations system and during his time as Minister for Education helped secure the Better Schools reforms which will deliver more individual attention and more resources for students in every school.

Prior to entering Parliament Bill worked at the Australian Workers Union, holding key leadership positions including State Secretary of the AWU Victoria Branch from 1998 to 2006 and the National Secretary from 2001 to 2007.

Bill has an enduring interest in social justice issues such as domestic violence, equal opportunity at work, and as a father of three and a stepdad the increasing diversity of families in Australia.





### The Hon Julie Collins MP

Julie Collins was born in Hobart. She was State Secretary of the Tasmanian Labor Party between 2006 and 2007.

Ms Collins was first elected the Member for Franklin in 2007.

She successfully held her seat in the 2010 federal election and was sworn in as Parliamentary Secretary for Community Services on 14 September 2010 in the First Gillard Ministry. In 2011, Ms Collins became Minister for Community Services, Minister for Indigenous Employment and Economic Development, and Minister for the Status of Women in the Second Gillard Ministry. In 2013, she gained additional responsibilities as the Minister for Housing and Homelessness and promoted to the Cabinet in the Second Rudd Ministry.

Ms Collins now serves as Shadow Minister for Regional Development and Local Government and Shadow Minister for Employment Services.

Ms Collins' priorities are ensuring equal access to a quality education, decent health services and fairness in the workplace, issues she cares about due to her own life experiences.

She is an active local Member and was humbled to have been made the first Tasmanian Cabinet Minister since 2001.

She lives on the Eastern Shore with her husband Ian and their three children.



### The Hon Scott Morrison MP

Scott Morrison grew up in Bronte, eastern Sydney. Mr Morrison was educated at Sydney Boys High, and other state schools. He then went on to the University of New South Wales, where he received an honours degree in Applied Science, studying economics and geography.

Before entering Parliament, Mr Morrison was the Managing Director of Tourism Australia and NSW State Director of the Liberal Party of Australia from 2000-2004. Prior to this, he served in senior executive roles in the tourism and property sector in Australia and New Zealand, including the Property Council of Australia and the Tourism and Transport Forum.

Mr Morrison was first elected to the seat of Cook at the November 2007 Federal election.

In September 2008, Mr Morrison was appointed as a member of Malcolm Turnbull's coalition frontbench as Shadow Minister for Housing and Local Government.

He has also served on Coalition's Policy Committees on Social Policy, Education and Industrial Relations and Legal and Immigration issues as well as the Party Leader's Taskforces on Party Reform and Reform of Federalism.

On 8 December 2009, Mr Morrison became Shadow Minister for Immigration and Citizenship, coming into the cabinet for the first time during Tony Abbott's first shadow cabinet.

On 18 September 2013, Scott Morrison was sworn in as Australia's Minister for Immigration and Border Protection in the new Coalition Government Cabinet.



### The Hon Warren Truss MP

The Hon Warren Truss MP is Deputy Prime Minister of Australia and the Minister for Infrastructure and Regional Development.

He became Leader of the Nationals in 2007 and is the longest serving federal leader of any political party in Australia today.

A third generation farmer from the Kumbia district near Kingaroy in Queensland, Mr Truss first won the federal seat of Wide Bay in 1990.

He was a Minister in the Howard Government for 10 years, serving as Minister for Customs and Consumer Affairs in October 1997, and a year later, Minister for Community Services. In July 1999 Mr Truss became the Minister for Agriculture, Fisheries and Forestry, where he served for six years. He became Minister for Transport and Regional Services in July 2005 and, in September 2006, was appointed Minister for Trade.

Before entering Parliament, Mr Truss was a Kingaroy Shire Councillor (1976 to 1990), including seven years as Mayor. He was Deputy Chairman of the Queensland Grain Handling Authority and a member of the State Council of the Queensland Graingrowers Association for more than 10 years.

Mr Truss is also former State and National President of the Rural Youth Organisation and President of the Lutheran Youth of Queensland.





# 2014 Regional Cooperation and Development Forum

## Regional Development in a Globalised Economy

The 2014 Regional Forum is the main event of the National General Assembly of Local Government. It is a great opportunity for regional mayors, councillors and other decision-makers to gather together, share knowledge and experience and work to further develop the capacity of regional Australia to adapt to the pressures of a changing world.

The forum will see the release of the 2014-15 *State of the Regions Report* and *Regional Report* commissioned by ALGA and prepared by National Economics and published with the support of Jardine Lloyd Thompson.

This year's Report examines the challenges facing Australia's regions in strengthening their competitiveness in the global economy. With the election of the new Coalition Government, international competitiveness and national policy reviews are firmly on the political agenda. Infrastructure remains one of the key drivers in economic growth and this year's report investigates the full range of infrastructure needs that are necessary in delivering sustainable regional development across the country.

### Program

9:30 am	Welcome and Introduction: ALGA President, <b>Mayor Felicity-ann Lewis</b>
9:45 am	<b>KEY NOTE ADDRESS</b> <b>Professor Anthony Hogan</b> , Chair, Regional Governance and Policy, ANZOC Institute for Governance, University of Canberra, <i>The Making of Rural and Regional Australia</i>
10:30 am	<b>MORNING TEA - POSTER DISPLAY AND ENGAGEMENT</b>
11:00 am	State of the Region Report: <i>Boosting Regional Performance</i> , <b>Dr Brain</b> and <b>Dr Manning</b> of National Economics
11:30 am	Regional Australia Update - Department of Infrastructure and Regional Australia
12:00 pm	Shadow Minister, Regional Development and Local Government, <b>The Hon Julie Collins MP</b>
12:30 pm	<b>LUNCH</b>
1:30 pm	<b>WORKSHOP DISCUSSION</b> Regional Collaboration <b>TECHNICAL WORKSHOP</b> National Economics
2:45 pm	<b>AFTERNOON TEA</b>
3:15 pm	Q & A Panel (Representatives from LGNZ, Regional Australia Institute, Department of Infrastructure and Regional Australia, Regional Development Australia)
4:00 pm	Deputy Prime Minister and Minister for Infrastructure and Regional Development, <b>The Hon Warren Truss MP</b>
4:35 pm	Official Closing





KEY  
DATES

Submission deadline for Motions for Debate	Thursday 17 April 2014
Early Bird Registration on or before	Monday 28 April 2014
Standard Registration on or before	Friday 30 May 2014
Late Registration after	Friday 30 May 2014

## Motions for Debate

The NGA is your opportunity to contribute to the development of national local government policy.

The ALGA Board is calling for motions for the 2014 NGA under the theme *Getting Down to Business*. To assist Councils in preparing motions a Discussion Paper has been prepared and is available at [www.alga.asn.au](http://www.alga.asn.au)

To be eligible for inclusion in the NGA Business Papers motions must follow the principles:

- 1 Fall under the NGA theme;
- 2 Be relevant to the work of local government nationally; and
- 3 Complement or build on the policy objectives of state and territory associations.

Motions should be submitted electronically via the online form on the website [www.alga.asn.au](http://www.alga.asn.au) and should be received by ALGA no later than 17 April 2014.

Motions submitted will be reviewed by a committee of the ALGA Board as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government.

Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

Motions that are agreed to at the National General Assembly become Resolutions. These Resolutions are then considered by the ALGA Board when setting national local government policy and when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any resolutions passed at the NGA.

### Voting Procedures

Each council is entitled to one voting delegate in the debating session. Councils will need to determine who their voting delegate will be. Voting cards can be collected at the Assembly. Councils do not need to advise ALGA of the name of the voting delegate prior to collecting voting cards.

# General Assembly Registration Details

## General Assembly Registration Fees



### EARLY BIRD REGISTRATION \$899

Payment received by Monday 28 April 2014

### STANDARD REGISTRATION \$999

Payment received on or before Friday 30 May 2014

### LATE REGISTRATION \$1,200

Payment received after Friday 30 May 2014

### General Assembly Registration Includes

- Attendance at all General Assembly sessions
- Morning tea, lunch and afternoon tea as per the General Assembly program
- One ticket to the Welcome Drinks, Sunday
- General Assembly satchel and materials

## Day Registration Fees

MONDAY 16 JUNE 2014	\$470
TUESDAY 17 JUNE 2014	\$470
WEDNESDAY 18 JUNE 2014	\$260

### Day Registration Includes

- Attendance at all General Assembly sessions on the day of registration
- Morning tea, lunch and afternoon tea as per the General Assembly program on that day
- General Assembly satchel and materials

## Sunday Regional Development Forum Sunday 15 June 2014

NOT REGISTERED TO ATTEND NGA	\$395
NGA REGISTERED DELEGATE	\$195

## Accompanying Partners Registration Fees

### ACCOMPANYING PARTNERS REGISTRATION \$240

### Accompanying Partners Registration Includes

- 1 ticket to the Welcome Reception, Sunday 15 June
- Day tour Monday 16 June
- Day tour Tuesday 17 June
- Lunch with General Assembly Delegates on Wednesday 18 June

## Payment Procedures

Payment can be made by:

- **Credit card.** MasterCard, Visa and American Express
- **Cheque** made payable to ALGA
- **Electronic Funds Transfer.**

**BANK:** Commonwealth **BRANCH:** Curtin

**BSB NO:** 062905 **ACCOUNT NO:** 10097760

**NOTE:** If paying via EFT you must quote your transaction reference number on the registration form.

## Cancellation Policy

All alterations or cancellations to your registration must be made in writing and will be acknowledged by post, facsimile or email. Notification should be sent to: Conference Co-ordinators, PO Box 139, Calwell ACT 2905  
Fax (02) 6292 9002 Email [conference@confco.com.au](mailto:conference@confco.com.au)

An administrative charge of \$110.00 will be made to any participant cancelling before Monday 28 April 2014. Cancellations received after Monday 28 April 2014 will be required to pay full registration fees. However, if you are unable to attend, substitutes are welcome at no additional cost.

By submitting your registration you agree to the terms of the cancellation policy.

## Privacy Disclosure

ALGA collects your personal contact information in its role as a peak body for local government. ALGA may disclose your personal contact information to the sponsors of the event for the purposes of commercial business opportunities. If you consent to ALGA using and disclosing your personal contact information in this way, please tick the appropriate box on the registration form.

**Importantly, your name may also be included in the General Assembly List of Participants. You must tick the appropriate box on the registration form if you wish your name to appear in this list.**



## Social Functions

### Welcome Reception and Exhibition Opening

#### Sunday 15 June 2014

NATIONAL CONVENTION CENTRE 5:00–7:00 pm

\$44 per person for day delegates and guests

No charge for full registered delegates

No charge for registered accompanying partners

DRESS smart casual

Coaches will depart Assembly hotels (except *Crowne Plaza*) at approximately 4:45 pm with return coaches departing at 7:00 pm.

### Buffet Dinner

#### Monday 16 June 2014

THE BALLROOM, NATIONAL CONVENTION CENTRE  
7:00–11:00 pm

\$100 per person

DRESS smart casual

Coaches will depart Assembly hotels (except *Crowne Plaza*) at approximately 6:45 pm with return shuttles commencing from 10:15 pm.

### General Assembly Dinner

#### Tuesday 17 June 2014

THE GREAT HALL, PARLIAMENT HOUSE  
7:00–11:00 pm

\$130 per person

DRESS lounge suit/collar and tie for men and cocktail style for women.

Tickets to the prestigious General Assembly Annual Dinner at Parliament House are always highly sought after. Due to the size of the Great Hall places are limited and therefore booking early is highly recommended to ensure your place.

Coaches will depart all Assembly hotels at approximately 6:45 pm with return shuttles commencing from 10:30 pm.

Note: Bookings are accepted in order of receipt.

### Canberra Weather in June

Winter days in Canberra are characterised by clear sunny skies but the days are cool at around 12–15°C and temperatures do drop to 1°C on average in the evenings, so be sure to bring a warm jacket. Mornings can be foggy so keep this in mind when booking flights. It is best to avoid early arrivals or departures in case of delays due to fog.

### Venue and Dress Code

#### Exhibition Opening and Welcome Reception

VENUE National Convention Centre, Constitution Ave,  
Canberra City

DRESS Smart casual

#### General Assembly Business Sessions

VENUE National Convention Centre, Constitution Ave,  
Canberra City

All plenary sessions will be held in the Royal Theatre at the National Convention Centre

DRESS Smart casual

#### Exhibition

VENUE National Convention Centre, Constitution Ave,  
Canberra City

The exhibition is being held in the Exhibition Hall of the National Convention Centre.

DRESS Smart casual

#### Buffet Dinner

VENUE National Convention Centre, Constitution Ave,  
Canberra City

The buffet dinner is being held in the Ballroom at the National Convention Centre.

DRESS Smart casual

#### General Assembly Dinner

VENUE Parliament House

The General Assembly Dinner is being held in the Great Hall

DRESS Lounge suit/collar and tie for men and cocktail style for women

## Accompanying Partners Program



### MONDAY 16 JUNE War Memorial and High Court

In 2014 the world will be recognising 100 years since the start of the First World War. The Australian War Memorial has established a special exhibition as part of this commemoration entitled *ANZAC voices*, this touching display of letters and diaries from ANZACs involved in Gallipoli and the Western Front, in the mud of Flanders and the deserts of Sinai–Palestine. After the exhibition, guests will enjoy lunch at a city location before a guided walking tour of the High Court to take in its award winning architecture and history.

### TUESDAY 17 JUNE Bungendore

The tour will start with a visit to Duntroon House, Canberra's first home which was built in 1833 and still stands within the grounds of The Royal Military College. The group will then travel to the Bungendore Woodworks to view spectacular pieces of wooden art with lunch at the gorgeous Woodworks café located at the gallery. After lunch guests will have time to explore the art, craft and antique shops that populate the village square.

## Accommodation

*To book your accommodation at the rates listed below complete the appropriate section of the registration form. Bookings are subject to availability and should be made prior to Friday 16 May 2014.*

All cancellations or amendments must be made in writing to Conference Co-ordinators and will be acknowledged by email.

Please note your credit card details are required to guarantee your room. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give 21 days notice in writing of your cancellation. Full payment of your account will be required at the time of your departure.

### CROWNE PLAZA

1 Binara Street, Canberra

Renovated in 2007 the Crowne Plaza is adjacent to the Convention Centre and only a short walk from restaurants, bars and the main shopping district. Featuring a contemporary design, the Crowne Plaza provides guests with an outdoor pool, sauna, health/fitness centre, 24 hour reception, Concierge, undercover parking and onsite dining at the RedSalt Restaurant. All rooms are non-smoking and include iron/ironing board, tea/coffee making facilities, hairdryer and Room Service is available.

**SUPERIOR ROOM \$295** per night single/twin/double

**DELUXE ROOM \$345** per night single/twin/double

### WALDORF

2 Akuna Street, Canberra

Located in the heart of Canberra's CBD, the Waldorf is only a four minute walk from the National Convention Centre. This hotel has 24 hour reception and provides guests with a gymnasium, indoor heated lap pool and onsite dining at the Waldorf London Restaurant. All rooms have kitchen and laundry facilities, in room safe, dining table and chairs, complimentary cable TV, pay per view movies, high speed internet service (for a fee) and Room Service is available. One bedroom apartments also offer a separate lounge/dining area.

**STUDIO ROOM \$210** per night single

**STUDIO ROOM \$225** per night twin/double

**1 BEDROOM APARTMENT \$230** per night single

**1 BEDROOM APARTMENT \$245** per night twin/double

### DIAMANT

15 Edinburgh Place, Canberra

Opened in June 2008 this boutique 80 room hotel is located at the intersection of Marcus Clarke and Edinburgh Ave, 15-20 minutes walk from the Convention Centre. The Diamant Hotel features 24 hour reception, a restaurant and a bar. The rooms have a mini bar, tea/coffee making facilities, plasma TVs CD and DVD players, broadband (for a fee), and in-room safe.

**STANDARD ROOM \$250** per night single/twin/double

### HOTEL REALM

18 National Circuit, Barton

The Hotel Realm is one of Canberra's 5 star hotels and is located walking distance from the popular shopping and restaurant villages of Kingston and Manuka. The Hotel Realm has 2 restaurants, a bar, Day Spa, Hairdresser and Health Club located on-site. The rooms are modern and have king sized bed, high speed internet (for a fee) LCD TV, pay movie channel, Foxtel and 24-hour room service.

**STANDARD ROOM \$230** per night single/twin/double

### NOVOTEL

65 Northbourne Avenue, Canberra

Located on Northbourne Avenue, one of Canberra's main thoroughfares, the Novotel is a 10 to 15 minute walk from the National Convention Centre. The hotel offers 24 hour reception and room service, an onsite restaurant and bar, gymnasium and undercover parking (charges apply per night). In-room facilities include mini bar, tea/coffee making facilities, broadband (for a fee), Fox Sports and News, pay per view movies, climate control air-conditioning, hairdryer, iron and ironing board.

**STANDARD ROOM \$280** per night single/twin/double

### MANTRA

84 Northbourne Avenue, Canberra

Mantra on Northbourne offers stylish accommodation centrally located approximately a ten minute walk from the National Convention Centre. The hotel features a heated indoor pool, sauna, fully-equipped gymnasium and the Zipp restaurant bar onsite. All rooms offer voice mail, individually controlled air-conditioning, pay per view movies, mini bar, tea/coffee making facilities, hairdryer and complimentary toiletries. One and two bedroom apartments also offer a separate lounge and dining area, fully-equipped kitchen and a laundry with washing machine, dryer, iron and ironing board.

**HOTEL ROOM \$209** per night single/twin/double

**1 BEDROOM APARTMENT \$249** per night single/twin/double

*Accommodation options continue over page*



## Accommodation

*Continued*

### **ADINA APARTMENT HOTEL CANBERRA JAMES COURT**

74 Northbourne Avenue, Canberra

Adina Apartment Hotel Canberra (formally The Medina Executive James Court) is approximately a seven minute walk from the National Convention Centre and is close to cafes, restaurants, gyms and shopping. The hotel offers reception, undercover parking, outdoor heated swimming pool, sauna, gymnasium and a restaurant delivery service. All rooms feature private balconies, climate controlled air conditioning, separate lounge/dining areas, broadband access (for a fee), spa bath, mini bar, fully equipped kitchen facilities and an in-room safe.

Note: Reception operates between the hours of 6.30am and 11.30pm

1 BEDROOM APARTMENT **\$210** per night single/twin/double

2 BEDROOM APARTMENT **\$260** per night single/twin/double

### **RYDGES LAKESIDE**

1 London Circuit, Canberra

Over the last two years the area surrounding Rydges Lakeside has undergone major changes with office developments, apartments, bars and restaurants opening. Rydges Lakeside is a 15-20 minute walk to the National Convention Centre. This property has 24-hour reception, room service, onsite restaurant and bar. All rooms have balconies and offer high speed internet (for a fee), pay per view movies, mini bar, hairdryer, iron and ironing board.

Note: This hotel has an absolute no-smoking policy.

STANDARD ROOM **\$249** per night single/twin/double

### **CLIFTON SUITES**

100 Northbourne Avenue

Quality Clifton Suites is approximately a 30 minute walk from the Convention Centre and is located on Northbourne Avenue. The property has an onsite pool, gymnasium and restaurant. All the rooms have reverse cycle heating and air conditioning, fully equipped kitchen, movies on demand, washing machine, dryer and a private balcony.

1 BEDROOM APARTMENT **\$240** per night single/twin/double

## Coach Transfers

### **Welcome Reception and Exhibition Opening**

**SUNDAY 15 JUNE 2014**

Coaches will collect delegates from all General Assembly hotels (*except Crowne Plaza Canberra*) at approximately 4:45 pm. The return coaches will depart at 7:00 pm.

### **Daily Shuttles to and from the National Convention Centre**

A shuttle service between all General Assembly hotels (*except Crowne Plaza Canberra*) and the National Convention Centre will operate between 8:00 am and 8:30 am. Return shuttles will depart the National Convention Centre at 5:15 pm.

### **Buffet Dinner - National Convention Centre**

**MONDAY 16 JUNE 2014**

Coaches will collect delegates from all General Assembly hotels (*except Crowne Plaza Canberra*) at approximately 6:45 pm. A return shuttle service will commence at 10:15 pm.

### **General Assembly Annual Dinner Parliament House**

**TUESDAY 17 JUNE 2014**

Coaches will collect delegates from all General Assembly hotels (*including Crowne Plaza Canberra*) at approximately 6:45 pm. A return shuttle service will operate between 11:30 pm and 11:45 pm.

## Car Parking

Parking for delegates is available underneath the National Convention Centre for a cost of approximately \$16.00 per day. Alternatively, voucher public parking is available across the road at a cost of approximately \$13.00 per day. The voucher machines are coin operated.

# Registration Form

NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 15-18 JUNE 2014  
Australian Local Government Association ABN 31 008 613 876

→  
Register online  
[www.alga.asn.au](http://www.alga.asn.au)

Multiple delegates > photocopy form  
Register online, download PDF or return  
this form to:

Conference Co-ordinators  
PO Box 138 CALWELL ACT 2905  
Phone (02) 6292 9000 Fax (02) 6292 9002  
Email [conference@conlga.com.au](mailto:conference@conlga.com.au)

By submitting your registration you agree to the  
terms and conditions of the cancellation policy

## PERSONAL DETAILS

TITLE <small>(Dr/Aic/Mayor/Other)</small>	NAME	SURNAME
POSITION		
COUNCIL/ORGANISATION		
ADDRESS		
SUBURB	STATE	POSTCODE
PHONE	MOBILE	FAX
EMAIL		
NAME FOR BADGE		

How did you find out about the General Assembly?  ALGA  State/Territory Association  Council  Other: \_\_\_\_\_

**PRIVACY DISCLOSURE**  I DO consent to my name appearing in the 2014 General Assembly List of Participants booklet (name, organisation and state only disclosed) as outlined in the privacy disclosure on page 10.  
 I DO consent to ALGA disclosing my personal contact information as outlined in the privacy disclosure on page 10.

## REGISTRATION FEES

### GENERAL ASSEMBLY REGISTRATION FEES

Please note registration does NOT include attendance at the Regional Cooperation and Development Forum

EARLY BIRD REGISTRATION FEES (payment received on or before 28 April 2014) . . . . . \$899.00  
STANDARD REGISTRATION FEES (payment received on or before 30 May 2014) . . . . . \$999.00  
LATE REGISTRATION FEES (payment received after 30 May 2014). . . . . \$1,200.00  
DAY REGISTRATION FEES . . . . .  Monday 16 June \$470.00  Tuesday 17 June \$470.00  Wednesday 18 June \$260.00

### REGIONAL CO-OPERATION AND DEVELOPMENT FORUM REGISTRATION FEES

REGIONAL DEVELOPMENT FORUM ONLY Registration Fee . . . . . \$395.00  
GENERAL ASSEMBLY DELEGATE Registration Fee . . . . . \$195.00  
STATE OF THE REGIONS REPORT 2014-15 (Single licence). . . . . \$240.00  
STATE OF THE REGIONS REPORT 2014-15 (Organisational licence). . . . . \$700.00

### ACCOMPANYING PARTNERS REGISTRATION FEES

REGISTERED ACCOMPANYING PARTNER Name for lapel badge: \_\_\_\_\_ . . . . . \$240.00

## SOCIAL FUNCTIONS INCLUDED IN FEES

One ticket to each of the following functions is included in the full General Assembly registration and/or accompanying partners registration fee. Please confirm if you will be attending by placing a tick in the appropriate boxes. To purchase additional tickets to any of the following functions please indicate the number required and complete the total amount payable.

## REGISTERED DELEGATES AND PARTNERS

### WELCOME RECEPTION AND EXHIBITION OPENING (SUNDAY 15 JUNE 2014)

I/we will attend:  Delegate  Partner Number of additional tickets  @ \$44.00 each . . . . . Total \$

### REGISTERED PARTNERS

Day 1 • War Memorial and High Court (Monday 16 June 2014)

I will attend:  Partner Number of additional tickets  @ \$100.00 each . . . . . Total \$

Day 2 • Bungendore (Tuesday 17 June 2014)

I will attend:  Partner Number of additional tickets  @ \$100.00 each . . . . . Total \$

Registration form continues over the page



## (A) REGIONAL TOURISM

### MOTION

That the Australian Local Government Association calls upon the Commonwealth Government to establish a Regional Australia Tourism program that provides funds to Regional and Rural Councils to develop and grow their tourism sectors.

That the Federal Government recognises that tourism is crucial to Regional Australia and that the establishment of a Regional Australia Tourism Program will provide the leadership and incentive to attract private sector investment and will create local jobs.

### NATIONAL OBJECTIVE

The objectives of Tourism 2020, the Federal Government's plan to support tourism nationally, particularly the need to encourage new investment in tourism assets and to increase the supply of labour, skills and Indigenous participation are key challenges facing local government. These are particular issues which regional and rural councils face, a Federal Government funding initiative would enable councils to drive this development and better support the destination management planning required in the regions.

### SUMMARY OF KEY ARGUMENTS

Local Government plays a crucial leadership role in attracting tourism and investment for their local communities, through the provision of the necessary infrastructure and services, appropriate planning and development creating a community which actively supports tourism, or through the facilitation of events, attractions and networks. Managing the impacts of tourism on the local community is also a clear role for local government and can be significant.

For local government to support tourism there is limited financial capacity within councils to implement tourism strategies, without the significant financial impact on local communities both in the short and longer term. Tourism can be a strong contributor to the diversification of a local and regional economy as well as social and environment outcomes driven by investment and job creation, but increased funding to support delivery of tangible actions and products is needed.

Tourism provides opportunities for regional development particularly for regional areas undergoing structural change and the economic impacts of both growth and decline. Tourism is a labour intensive industry and has the potential to deliver great employment and training opportunities particularly for young people.

Tourism Australia previously provided grant funding directly to regional areas through the Tourism Industry Regional Development Fund. This is no longer being provided through the Federal Government and funds will be provided funds through the State Governments, which can often limit the impact on regional and rural areas.

**(B) CENTRAL COAST REGIONAL AIRPORT****MOTION**

That the Australian Local Government Association calls upon the Commonwealth Government to provide resources (key Commonwealth Government staff) to assist in developing and delivering a Regional Airport for the NSW Central Coast. The Central Coast Region believes this project will be a key catalyst to stimulate economic investment and to create local jobs in this region of 330,000 people.

**NATIONAL OBJECTIVE**

Infrastructure spending is a key consideration in the national budget debate and is often linked to transport and infrastructure needs for new release areas.

Wyong LGA is forecast by the NSW State Government to accommodate growth from Sydney, with 70,000 new residents expected to move into the region by 2031 (2.3%p.a. growth).

Rarely is there an opportunity to leverage the significant infrastructure investment needed to facilitate this release of new residential suburbs with a key catalyst project (the Central Coast Regional Airport) which has the potential to deliver substantial jobs for the region, with a multiplier of more than 4 times more investment into the region.

**SUMMARY OF KEY ARGUMENTS**

The Central Coast is the ninth largest region in Australia. Of these nine regions it is the only one without a regional airport. This is impacting on the economic and social sustainability of this region. The community in Wyong LGA is disadvantaged with high unemployment at 6.2% (NSW = 5.1%) and very high youth unemployment 16.5% (NSW = 7.4%).

Having a population in excess of 300,000 the Central Coast region is predicted to grow to approximately 400,000 by 2031, which will mean that it will have a population as large as Canberra. This forecast growth in population will require the creation of 35,000 additional local jobs. Currently, over 38,000 residents travel daily to either Sydney or the Hunter for work.

The economic contribution of airport activities in Australia has been estimated at more than 4 times the operational cost of runway infrastructure and terminals (Deloitte Access Economics 2012). Regional airports contribute substantial economic benefit to regional communities, through local development and job creation as demonstrated in the following instances:

- Gold Coast Airport contributes \$1.8 billion per annum to the region
- Newcastle Airport contributes \$800 million per annum to the region; and
- Sunshine Coast Airport contributes close to \$500 million per annum to the region.

Wyong Shire Council has identified a 476ha airport study area in Wallarah, which would deliver unparalleled transport connectivity for a regional site and Council is targeting a Type 3 Regional Airport with 1 million passenger movements per annum and a forecast for 1,000 direct jobs by 2020, with the following key attributes:

- Ideally located adjacent to the M1 Motorway and the main northern rail line is less than 1km to the east



- Located to the west of the Warnervale growth precinct, adjacent to the 360ha Wyong Employment Zone and the 455ha proposed Wyong Education and Business Precinct
- Located less than an hour from the Newcastle Port and 1.5 hours from Botany (even less when the NorthConnex M1 to M2 tunnel is completed in 2019) the Central Coast Regional Airport has the capacity to create a regional freight hub
- The site has no major conflicting land uses and is not fragmented with only 13 owners
- The proposal has significant support from Local, State and Federal members and significant landowner and community engagement is underway

## (C) REGIONAL DEVELOPMENT AUSTRALIA

### MOTION

That the Australian Local Government Association calls upon the Commonwealth Government to review the structure, operation and funding arrangements to Regional Development Australia to ensure its strategies and outcomes align to the strategic directions that the Local Governments in the regions are taking on delivering essential infrastructure to support economic growth and to create local jobs.

### NATIONAL OBJECTIVE

- Regional Development Australia currently provides funding through its Regional Development Australia Fund (RDAF) which supports economic growth through funding regionally significant projects.
- This is an essential funding source for local government and the local RDA offices are well placed to make recommendations and administer the funds however, there is a need for more funding to be made available to the regions so that the benefits of the RDAF are maximised.
- The Commonwealth Government is requested to increase its level of support to the regions by increasing the level of funds it allocates through the RDAF.

### SUMMARY OF KEY ARGUMENTS

Since its establishment, the Regional Development Australia programme has had some success within various regions of Australia in coordinating and contributing to economic growth and administering the local Regional Development Australia Fund (RDAF). One of the impediments to the RDAs achieving greater benefits for the regions is the limited amount of funds allocated to the regions through the RDAF.

There are many examples of councils proposing worthy projects for funding through the RDAF only to see the funding application being unsuccessful due to there being insufficient funds available to the programme. This has resulted in a number of regions (including the Central Coast of NSW) being greatly disadvantaged and unable to facilitate much needed economic growth primarily in the area of infrastructure provision required to meet the needs of these growing areas.

The concept of allocating funds to the regions through local RDAs has merit and it is not suggested that this current model be reviewed. However, a greater allocation of funding is needed so that the local RDAs can provide a more balanced approach to distributing these funds so that more areas benefit.

Local Government is well positioned to deliver the essential infrastructure that is funded by the programme. In the majority of cases, councils have undertaken the necessary planning (designs and approvals) for these projects yet they are unable to secure the funding required to see the projects come to fruition.

It is therefore recommended that the Australian Local Government Association call upon the Commonwealth Government to provide additional funding to Regional Development Australia to assist Local Government in delivering essential infrastructure to the regions.

## (D) FINANCIAL ASSISTANCE GRANTS

### MOTION

That the Australian Local Government Association calls upon the Commonwealth Government to remove the minimum payment within Financial Assistance Grants (FAG) methodology and replace it with a methodology which gives greater recognition to population growth and the associated infrastructure requirements and secondly to Councils that have infrastructure backlogs. This would support Councils that have Communities with the greatest growth pressure/need and with the focus placed on infrastructure backlogs and infrastructure for future growth will ensure that our existing and new communities are planned and established with an adequate standard of service.

### NATIONAL OBJECTIVE

Under current Federal law, all councils receive a minimum "safety net" payment FAG. 30% (or \$470m) of the total general-purpose component is set aside for this purpose and distributed on a per capita basis. The minimum per capita grant should be removed and distributed to councils of greatest need.

To bring about this substantial change in grant distribution, there is a need for changes to both the current formula used by the NSW Local Government Grants Commission and to the federal legislation that stipulates the amount of money to be set aside for minimum per capita grants.

### SUMMARY OF KEY ARGUMENTS

The FAG is a general purpose grants that are paid to local councils under the provisions of the Commonwealth Local Government (Financial Assistance) Act 1995. This legislation also details how the total amount of grant funds is determined and how the funds are to be distributed between the States.

WSC seeks support to amend the legislation in respect of eligibility and distribution to ensure that it goes to those councils with the greatest need. A more appropriate mechanism should give greater weighting to those councils:

- In growth areas where the costs of large capital items such as roads, sporting facilities, community buildings and water & sewer services can take many years to collect via developer contributions
- That have the most significant infrastructure backlogs per capita
- That have significant areas of natural assets. In recent times the focus has been on infrastructure backlog, but there are other asset classes, such as natural assets where there are also significant expenditure required to maintain them for future generations

### Summary:

Legislation governing the distribution of FAG should remove the minimum per capita payment methodology and redistribute those funds to support those councils and communities with the greatest needs.

#### **4.8 "Key Site" The Entrance - Adoption of Site Specific Development Control Plan**

---

TRIM REFERENCE: RZ/1/2012 - D06154543

MANAGER: Jari Ihalainen, Director

AUTHOR: Stephen Ashton; Asset Planner

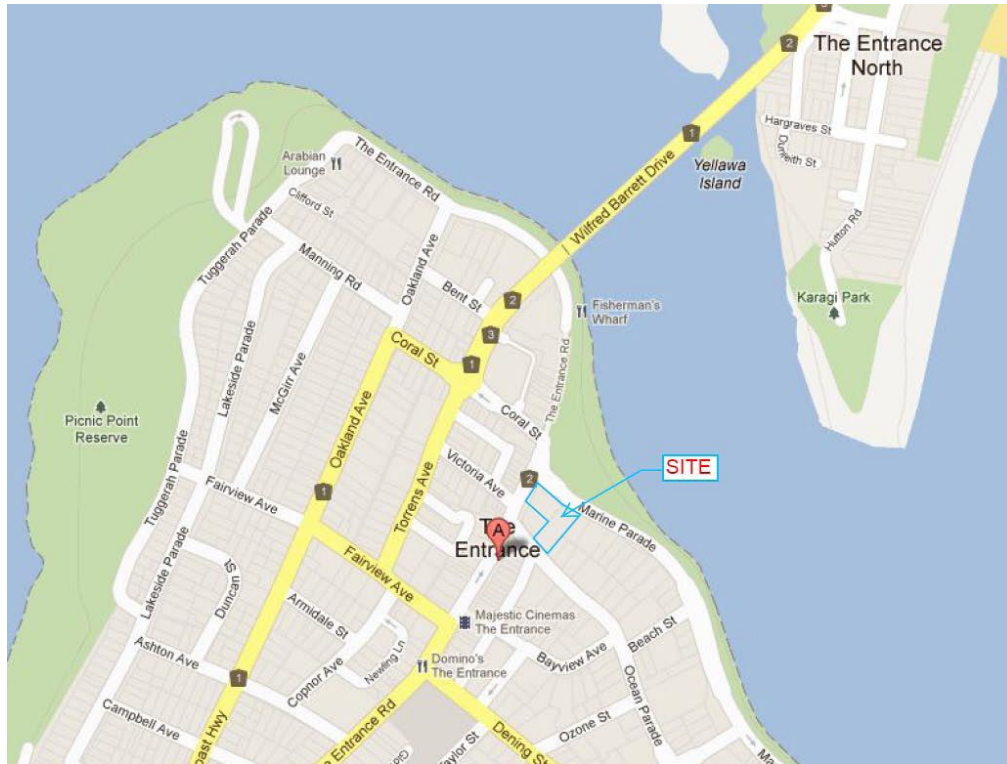
#### **SUMMARY**

To report on and recommend the adoption of the site specific development control plan (SDCP) for the 'Key Site' in The Entrance, following the gazettal of Wyong Local Environmental Plan 2013.

<b>Applicant:</b>	<i>Ingham Planning Pty Ltd</i>
<b>Owner:</b>	<i>Pelican Horizons Pty Ltd</i>
<b>Description of Land:</b>	<i>Lot 1 DP 513519 (2 Ocean Parade, The Entrance)/Lot 2 DP 536168 (14 The Entrance Road, The Entrance).</i>
<b>Proposal:</b>	<i>To adopt the site specific development control plan for the 'Key' site in The Entrance.</i>
<b>Site Area:</b>	<i>3,762m<sup>2</sup></i>
<b>Zoning:</b>	<i>B2 (Local Centre)</i>
<b>Existing Use:</b>	<i>Vacant land.</i>

#### **RECOMMENDATION**

***That Council adopt the draft site specific development control plan for the 'Key' Site at The Entrance, comprising Lot 1 DP 513519 (2 Ocean Parade, The Entrance) and Lot 2 DP 536168 (14 The Entrance Road, The Entrance).***



Site Plan



**BACKGROUND**

Council received a planning proposal for the land comprising Lot 1 DP 513519 (2 Ocean Parade, The Entrance) and Lot 2 DP 536168 (14 The Entrance Road, The Entrance), commonly known as the 'Key' Site. The main objective of this planning proposal was to facilitate an important employment generating development in a strategically significant location in response to Council's adopted Key (Iconic) Development Site Program and the vision enunciated in The Entrance Town Centre Masterplan, encapsulated in the following image.



The Planning Proposal [known as draft Wyong Local Environmental Plan 1991(dWLEP 1991-No.190)] sought to amend Council's previous Local Environmental Plan (Wyong Local Environmental Plan 1991) by introducing planning controls which support Council's Key (Iconic) development sites program and facilitate a mixed use development on the subject land (refer concept plan below) by inserting a framework on which future development applications for Key (Iconic) Development Sites can be assessed, as well as embedding floor space ratio and maximum height parameters for the subject lands and switching off certain current planning controls.



## **4.8 "Key Site" The Entrance - Adoption of Site Specific Development Control Plan (contd)**

---

In June 2012, Council resolved to initiate the planning proposal (dWLEP 1991-No.190) and forward it to the Director General, Department of Planning and Infrastructure requesting a Gateway determination. A Gateway determination to proceed with the planning proposal was received in August 2012 and negotiations over the preparation of a draft site specific development control plan (DCP) and draft voluntary planning agreement (VPA), as required by Council's Key (Iconic) Development Site Program, proceeded.

Following these negotiations, the planning proposal, accompanied by the draft site specific draft DCP and draft VPA, was placed on public exhibition in August 2013.

In September 2013 Council resolved to endorse the planning proposal and forward it to the Director General, Department of Planning and Infrastructure, requesting that the Minister gazette draft Wyong Local Environmental Plan 1991– Amendment No.190.

Council also resolved to delegate responsibility to the General Manager to execute the voluntary planning agreement which accompanied draft Wyong Local Environmental Plan 1991 – Amendment No.190. The voluntary planning agreement has been executed and registered on the relevant titles.

Council also resolved to adopt the draft site specific development control plan, but only if the gazettal of draft Wyong Local Environmental Plan 1991 – Amendment No.190 occurred.

However, during the gazettal process, Council's new Local Environmental Plan, Wyong Local Environmental Plan 2013 was gazetted by the Minister. This new local environmental plan superseded and negated the making of draft Wyong Local Environmental Plan 1991 – Amendment No.190, which subsequently was not adopted. Consequently, the draft site specific development control plan, which accompanied draft Wyong Local Environmental Plan 1991 – Amendment No.190, was also not adopted by Council.

### **CURRENT STATUS**

The draft site specific development control plan for the 'Key' site in The Entrance has not been adopted as intended due to the gazettal of Council's new Local Environmental Plan, Wyong Local Environmental Plan 2013 superseding and negating the making of draft Wyong Local Environmental Plan 1991 – Amendment No.190.

### **THE PROPOSAL**

For the draft site specific DCP for the 'Key' site at The Entrance, comprising Lot 1 / DP 513519 (2 Ocean Parade, The Entrance) and Lot 2 / DP 536168 (14 The Entrance Road, The Entrance) to be adopted by Council.

The main purpose of the draft site specific DCP (refer Attachment) is to provide guidance for the development of this Key (Iconic) Development Site. It covers the following matters:

- Building form
- Building materials and finishes
- Design of building elements
- Landscape
- Amenity



## **4.8 "Key Site" The Entrance - Adoption of Site Specific Development Control Plan (contd)**

---

- Access and parking
- Sustainability and green building solutions

No submissions were received that raised issues on the draft site specific DCP during the public exhibition period of draft Wyong Local Environmental Plan 1991 – Amendment No.190.

The draft site specific development control plan addresses all the criteria and, therefore, complies with Clause 7.11 (the Key 'Iconic' Development Sites Clause) of Wyong Local Environmental Plan 2013.

Consequently, it is considered that there is no need to revise the site specific development control plan.

### **STRATEGIC LINKS**

#### **Wyong Shire Council Strategic / Annual Plan**

The adoption of the draft site specific DCP for the 'Key' site at The Entrance is a critical element in contributing to the delivery of the strategic planning input, principal activity 3 - economic and property development, Council's Iconic Sites regulatory and co-ordination service.

#### **Contribution of Proposal to Principal Activity**

The adoption of the draft site specific DCP for the 'Key' site at The Entrance will facilitate the development of the 'Key' site as soon as practically possible, in accordance with Council's Key (Iconic) Development Site Program initiative, principal activity 3, economic and property development.

#### **Long-term Financial Strategy**

Draft site specific DCP for the 'Key' site at The Entrance is a critical component of Council's Key (Iconic) Development Site Program initiative.

Council's Key (Iconic) Development Site Program initiative contains requirements for significant public benefit contributions, which in turn represents an important contributor to Council's long-term financial strategy.

#### **Asset Management Strategy**

Draft site specific DCP for the 'Key' site at The Entrance is a critical component of Council's Key (Iconic) Development Site Program initiative.

Council's Key (Iconic) Development Site Program initiative contains requirements for significant public benefit contributions, which in turn represents an important contributor to Council's asset planning / management strategy, in assisting the funding the provision and maintenance of community assets, which would otherwise be entirely funded from Council revenue.



### **Workforce Management Strategy**

Nil impact.

### **Link to Community Strategic Plan (2030)**

The adoption of the draft site specific DCP for the 'Key' site at The Entrance is a critical element contributing to the achievement of the community strategic plan objectives of communities being vibrant, caring and connected with a sense of belonging and pride, and a strong business sector with increased local employment.

### **Budget impact**

Nil impact to Council. Draft site specific DCP for the 'Key' site at The Entrance is, however, a critical component of Council's Key (Iconic) Development Site Program initiative. Council's Key (Iconic) Development Site Program initiative contains requirements for significant public benefit contributions, which in turn will assist Council's budget to provide and maintain community assets.

### **CONSULTATION**

The draft site specific DCP for the 'Key' site at The Entrance accompanied draft Wyong Local Environmental Plan 1991 – Amendment No.190 on public exhibition during August 2013. No submissions were received that raised issues on the draft site specific DCP during the public exhibition period of draft Wyong Local Environmental Plan 1991 – Amendment No.190.

### **GOVERNANCE AND POLICY IMPLICATIONS**

There are nil significant governance and policy implications associated with the proposal.

### **MATERIAL RISKS AND ISSUES**

There are nil material risks and issues associated with the adoption of draft site specific DCP for the 'Key' site at The Entrance.

There would be potential significant material risks of the 'Key' site not being developed in the near future, if draft site specific DCP for the 'Key' site at The Entrance was not adopted.

### **CONCLUSION**

On 25 September 2013 Council resolved to adopt a draft site specific development control plan for the 'Key' Site in The Entrance, subject to gazettal of planning proposal, draft Wyong Local Environmental Plan 1991 – Amendment No.190.

The Planning Proposal, draft Wyong Local Environmental Plan 1991 - Amendment No.190, was not gazetted, however, due to it being superseded by Wyong Local Environmental Plan 2013.

#### **4.8 "Key Site" The Entrance - Adoption of Site Specific Development Control Plan (contd)**

---

As a consequence, the site specific development control plan which accompanied Planning Proposal, draft Wyong Local Environmental Plan 1991 - Amendment No.190, was not adopted.

The draft site specific development control plan addresses all the criteria and therefore complies with Clause 7.11 (the Key 'Iconic' Development Sites Clause) of Wyong Local Environmental Plan 2013.

No significant issues requiring revision of the site specific development control plan were raised by submissions received during the public exhibition period for planning proposal; draft Wyong Local Environmental Plan 1991 – Amendment No.190.

Consequently, it is recommended that the site specific development control plan be adopted by Council, as Council intended in its resolution on 25 September 2013 in relation to planning proposal, draft Wyong Local Environmental Plan 1991 - Amendment No.190.

#### **ATTACHMENTS**

- 1 Attachment to Ordinary Meeting 9 April 2014 Report - DRAFT DCP D06154446

## CHAPTER 6.21 THE ENTRANCE - KEY SITE

### 1.0 INTRODUCTION

#### 1.1 Citation

This Development Control Plan is "Development Control Plan Chapter No 6.21 – "The Entrance - Key Site".

#### 1.2 Application of this Plan

This Plan is prepared and approved pursuant to s.74C of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. This Development Control Plan (DCP) Chapter applies to Clause ... & Map **[yet to be determined]** of Wyong Local Environmental Plan (LEP) 1991 (see **Figure 1**).

#### 1.3 Purpose of this Plan

The purpose of this Plan is to provide guidance for the development of this Key Iconic Development Site.

#### 1.4 Aims and Objectives

- Development should accommodate a mix of residential, commercial, retail uses and restaurants, addressing all three (3) street frontages.
- Development shall have an appropriate scale, texture and materiality that is sympathetic to the character of The Entrance.
- The site provides an opportunity to improve the public domain function and amenity, and continue the use of the pavement for outdoor dining/activities, theme paving, appropriate street plantings and decorative lighting.
- Development shall incorporate high quality coastal design.

#### 1.5 Relationship to other Plans

Wyong Local Environmental Plan (LEP) 1991 applies to the site. Section 74C of the Environmental Planning and Assessment Act 1979 and Regulations require this development control plan chapter to be consistent with that Plan.

In the event of an inconsistency between this development control plan chapter and the provisions of the Wyong LEP 1991, the latter shall apply.

This development control plan chapter should be read in conjunction with other development control plan chapters and policies (including relevant Section 94 and 94A plans) which may apply to the site, in particular:

- Wyong Development Control Plan 2005, Chapter 14 – Tree Management.
- Wyong Development Control Plan 2005, Chapter 50 – Advertising Signs.
- Wyong Development Control Plan 2005, Chapter 60 – The Entrance.
- Wyong Development Control Plan 2005, Chapter 61 – Parking and Accessibility.
- Wyong Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development.

- Wyong Development Control Plan 2005, Chapter 69 – Controls for Site Waste Management.
- Wyong Development Control Plan 2005, Chapter 76 – Heritage Conservation.
- Wyong Development Control Plan 2005, Chapter 81 – Retail Centres.
- Wyong Development Control Plan 2005, Chapter 112 – Public Art.

Where there is any inconsistency between this development control plan chapter and those listed above, the provisions of this development control plan chapter shall prevail.

## **1.6 How to use this Plan**

**Section 1 – Introduction:** Use this part to identify the nature and extent of this development control plan chapter.

**Section 2 –Key (Iconic) Development Site ‘Key Site’:** Use this part to identify the site specific issues to be addressed as they pertain to the Site.

## **1.7 Variations to this Plan**

If, in the opinion of Council, the proposed development satisfactorily complies with the aims and objectives of this Plan, variations to the requirements may be considered.

Where variations are proposed, the development application (DA) shall indicate:

- a The requirement and extent of the variation proposed; and
- b Benefits resulting from the proposed variations which could not be otherwise achieved through compliance with the requirement.

## 2.0 KEY (ICONIC) DEVELOPMENT SITE, 'KEY SITE'

### OBJECTIVE

### REQUIREMENTS

- Orientate and shape building forms to maintain channel vistas from The Entrance Road and to limit the overshadowing of surrounding streets and neighbouring dwellings.
- Provide active frontages at street level, incorporating a mix of retail and commercial uses, including restaurant, specialist retail and tourist facilities to all building facades along The Entrance Road, Marine and Ocean Parades.
- Provide adequate vehicle parking to cater for the future land use mix. All vehicle parking shall be screened from view from the street frontages to Marine Parade, Ocean Parade and The Entrance Road.
- Provide vehicular access from Marine and Ocean Parades only to parking and delivery areas.
- Substantial street tree planting and high quality landscaping shall be employed in the development design.
- The development shall provide appropriate and adequate communal open space or landscaped areas.
- Any proposal shall address adjoining development in terms of overshadowing, building separation, view loss and amenity issues.
- Pedestrian movement within and around the site shall be catered for. Specific consideration shall be given to the movement of pedestrians from The Entrance Road to Marine Parade and access to Memorial Park.
- Any development of the site shall address its visual impact from all important viewpoints including Marine Parade, Memorial Park, the Waterfront Mall, The Entrance Road (Main Street), Ocean Parade, The Entrance Bridge and The Entrance North foreshore area.
- It must be demonstrated that any design has the potential to effectively link/amalgamate with any future development of Lot 1 DP 536168 (the KFC site).
- Development shall adequately address the requirements of the relevant State Environmental Planning Policies (SEPP's) including SEPP 65 – Design Quality of Residential Flat Buildings, SEPP 71 – Coastal Protection Zone and SEPP (BASIX) 2004.
- Consideration shall be given to the principles and objectives of other development control plan chapters, in particular Wyong Development Control Plan 2005, Chapter 76 - Heritage Conservation.



Figure 1: Aerial Photograph of the Vacant 'Key' Site

## 2.1 Building Form

### OBJECTIVE

- Encourage redevelopment by permitting a building of up to 70m AHD (approximately 21 storeys) and a maximum floor space ratio of 4:1 subject to achieving the other aims and objectives of this development control chapter and other relevant development control chapters.
- To provide for a building of high architectural quality with design excellence which will create an iconic form at the junction of the foreshore and the main street of the town centre, whilst maintaining good vistas of the foreshore.
- To maintain an appropriate relationship with the public domain and streetscape, street front elements are to respond to the character of existing main street development with ground level shopfronts accessed from The Entrance Road and Marine Parade and protected by awnings and commercial and residential uses above.
- To provide for a building form that has adequate separation to existing and future buildings and setbacks to the street and ensures that an appropriate degree of solar access is retained for surrounding development.
- To ensure that the existing development potential of Lot 1 DP 536168 (the KFC site) is not compromised.
- To provide a building form that will allow the objectives of SEPP 65 and the Residential Flat Design Code (RFDC) to be met.

## REQUIREMENTS

- In accordance with the LEP the maximum building height RL70m AHD (which facilitates development of around 21 storeys) and the maximum floor space ratio is 4:1.
- Street front podium elements are to be built predominantly to the street frontages and the building height limited to 2-3 storeys- generally as indicated in yellow in **Figures 2-4**.
- The residential tower element (shown in green on **Figures 2-4**) is to have the following setbacks:
  - The Entrance Road – minimum of 10m to building wall/glazing and 7m to balconies, to allow expression of iconic form.
  - Marine Parade – minimum of 12m to building wall/glazing and 8m to balconies, to allow expression of iconic form.
  - Ocean Parade – 8m to any part of the building (subject to appropriate overshadowing outcomes).
  - to limit the height of the street front elements of the building to a maximum of 3 storeys (around 12m) to maintain an appropriate scale in the streetscape.
  - setbacks to Lot 1 DP536168 (the KFC Site) are to be minimal or nil to ensure that the existing development potential of this site is not compromised.
  - The setback to the eastern boundary is to be a minimum of 6m.
- To provide for a building form that has adequate separation to existing and future buildings and setbacks to the street and ensures that an appropriate degree of solar access is retained for surrounding development.
- To provide a building form that will allow the objectives of SEPP 65 and the Residential Flat Design Code to be met.
- The building envelope resulting from the above is shown at **Figures 2-4**. However it is noted that the limit on FSR will result in a building significantly smaller than the envelope. The envelope will allow flexibility for building location, orientation and building articulation and for an appropriate response to issues such as overshadowing and privacy.

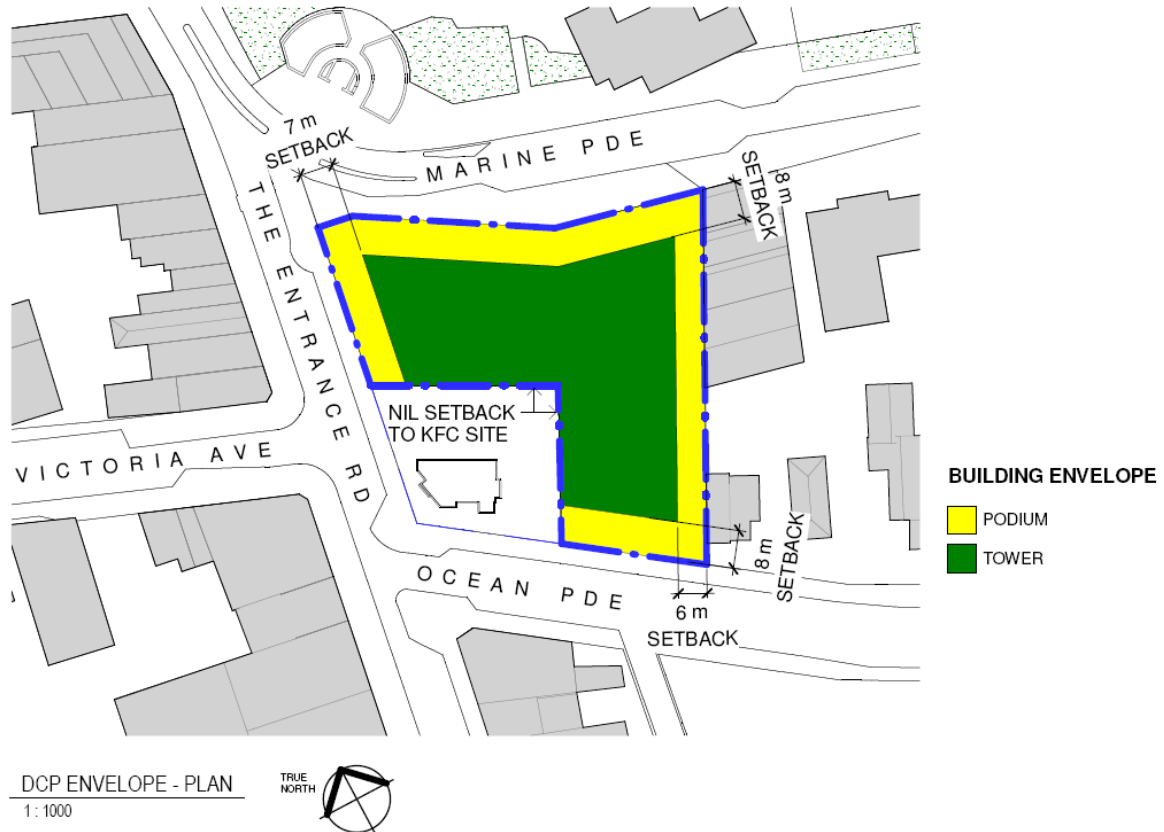


Figure 2: Building Envelope - Plan

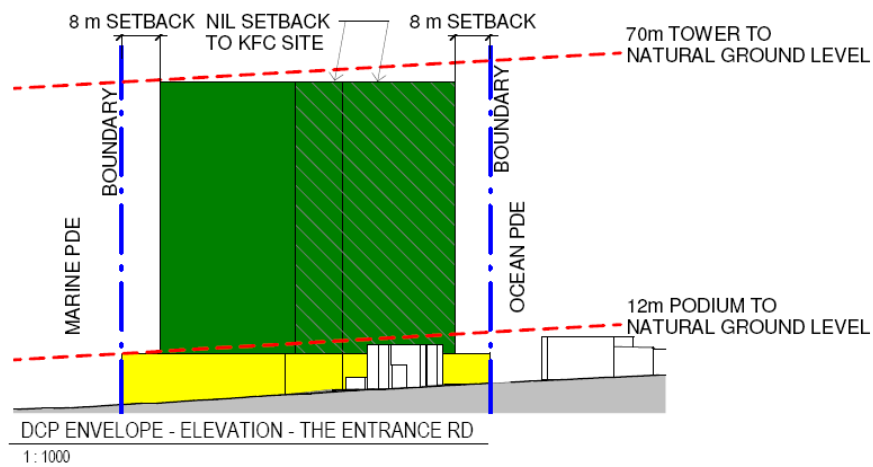
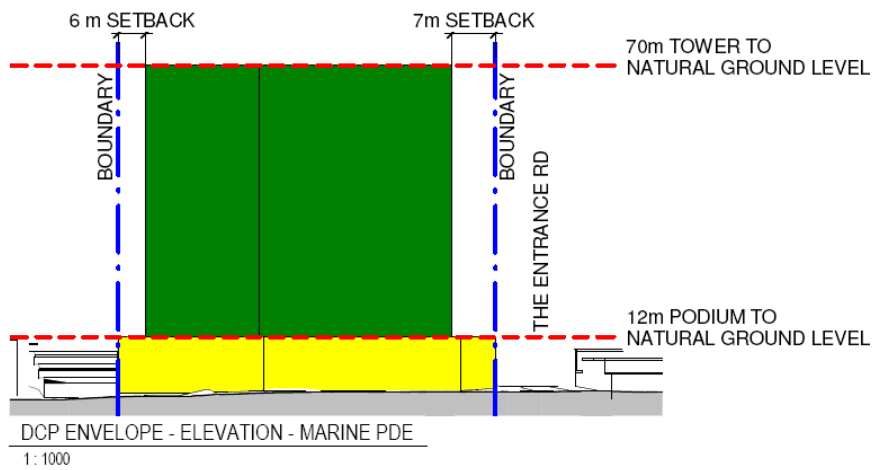


Figure 3: Building Envelope - Elevations



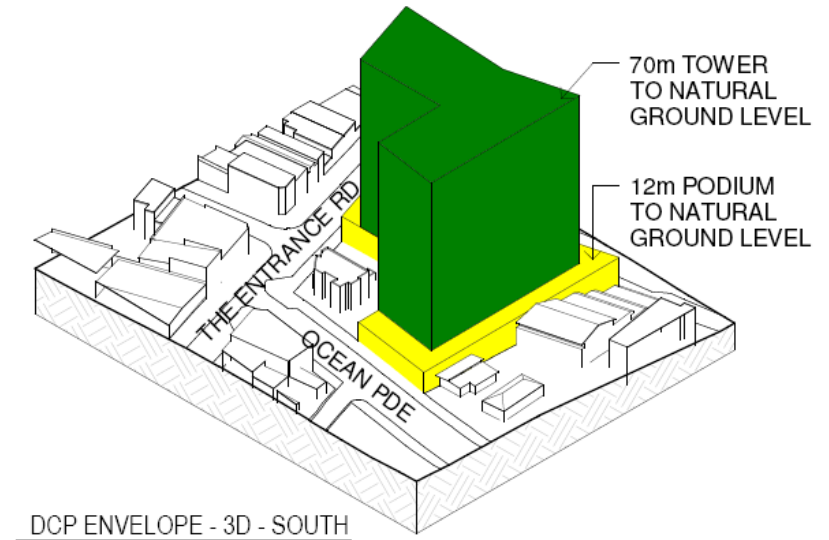
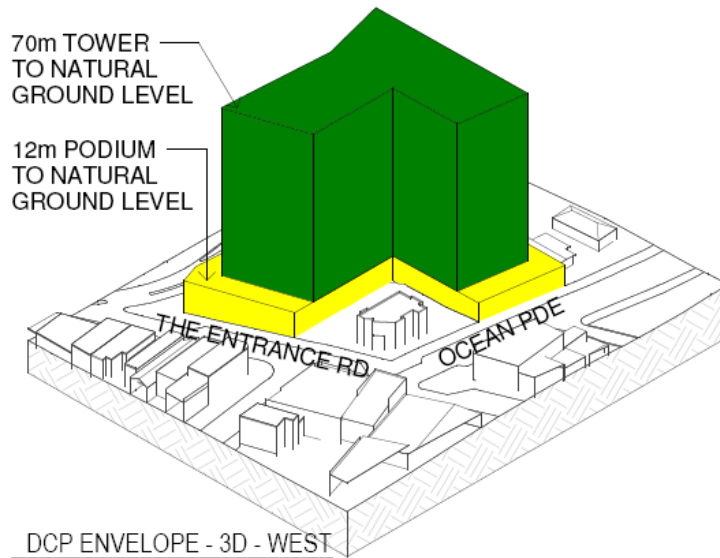
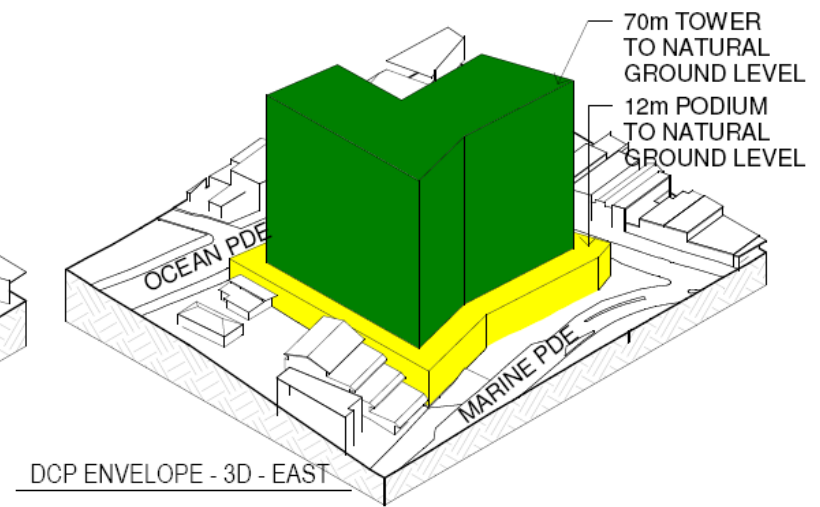
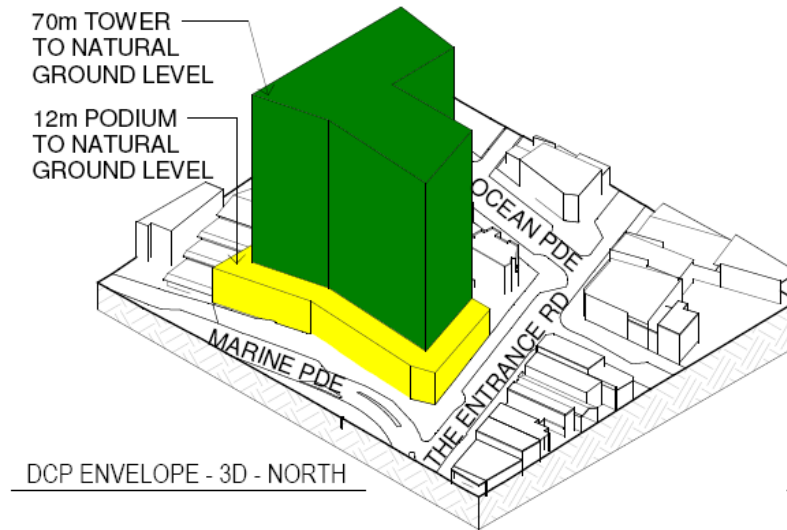


Figure 4: Building Envelope – 3D views

## 2.2 Building Materials and Finishes

### OBJECTIVE

- To ensure that buildings have a high quality appearance and have regard to the existing context and desire to create an identifiable 'coastal' character (see example at **Figure 5**).

### REQUIREMENTS

- Building and landscape materials are to be fit for purpose and reflect the desired future character of the area, be appropriate for climatic conditions and the marine environment and be of high specification to ensure long term quality and sustainability of the development;
- Materials to be used may include:
  - Heavy materials for the base structure: concrete, masonry, render.
  - Lightweight materials for the top of the building to allow flexibility in roof form: steel, aluminium and other metallic materials.
  - Screening elements: to provide enhanced privacy to the occupants of the development as well as to adjoining residential properties.
  - Materials that minimise reflective glare.

## 2.3 Design of building elements

### OBJECTIVE

- To ensure that the front, sides, back and top of the building has a high quality appearance and have regard to the character of the surrounding area.

### REQUIREMENTS

- Development is to be designed having regard to the context and the desired future character of the area.
- Building and landscape elements, including balconies, entries, rooflines and screening are to contribute to the character of the streetscape, enhance opportunities for passive visual surveillance of the public domain, enhance residential amenity and make a positive contribution to place identity.

## 2.4 Public Domain

### OBJECTIVE

- To ensure that the public domain components of the development contribute to an activated, human scale street environment.
- To ensure that intersection design, streetscape elements and landscaping support the pedestrian, cyclist and vehicular movement system in and adjacent to the development.
- Integrate with Council's public domain improvements within The Entrance Road and Marine Parade, particularly at the corner where these roads intersect (see **Figure 6**).
- To ensure that uses and frontages of buildings adjacent to the intersection of The Entrance Road and Marine Parade contribute to the activation of the public domain and facilitate and support a vibrant foreshore precinct, which serves the local community and tourists alike.

- To ensure that the non-residential character of The Entrance Road and this end of Marine Parade and Ocean Parade is enhanced.
- To ensure that design of residential frontages maximises passive surveillance of the public domain and reinforces the activation of the street environment.
- To ensure that façade articulation and elements within the building setback areas facilitate an active street environment.

## REQUIREMENTS

- The ground floor to The Entrance Road and Marine Parade is to accommodate active uses including shops, cafes and restaurants and appropriate commercial uses and access to residential uses, where possible.
- Outdoor eating areas associated with restaurants may be provided within the public domain subject to Council's requirements.
- Use landscaping that will assist in the integration of buildings and related structures into the streetscape at street level (see **Figure 6**).



Figure 5: Indicative Use of Curved Elements to Reflect Coastal Character

## 2.5 Landscape

### OBJECTIVE

- To provide for landscaped areas on the site that will enhance communal open space on the site.

- To create an area of public domain adjacent to the site which is of high quality and will contribute to the overall objective of providing focal points of activity adjacent to the foreshore.

## REQUIREMENTS

- Approximately 20% of the communal recreation area on the site is to contain planted areas, including a mixture of trees, shrubs and ground covers appropriate to the area.
- Any funds provided by way of a Voluntary Planning Agreement are to contribute to the creation of a high quality public domain in the vicinity of the site adjacent to the foreshore (see **Figure 7**).
- Landscaping within the public domain is to be in accordance with Council's requirements.



**Figure 6: Indicative Concept of the Treatment at the Intersection of The Entrance Road and Marine Parade to Integrate the Site with the Public Domain and Create Focal Point in this Key Location**





**Figure 7: Public Domain Upgrades Adjoining the Site as Envisaged by The Entrance Town Centre Masterplan**

## 2.6 Amenity

### OBJECTIVE

- To ensure a high level of amenity for the residents and other users of the site and surrounding areas.
- To ensure that the use of the property and all associated ancillary activities does not unreasonably impact on the amenity of the surrounding area in relation to traffic generation, off-site parking, excessive noise, odour or light spill, visual impacts and disturbance from servicing requirements and staff and visitor movements.

### REQUIREMENTS

- Consistency with the requirements of SEPP 65 and the Residential Flat Design Code.
- Non-residential spaces should be designed to take advantage of the foreshore location and where possible, provide for views to the water.
- Any tourist accommodation and non-residential uses should have separate pedestrian entries to the residential component and be designed to ensure that an appropriate level of amenity (particularly acoustic amenity) is provided to residents.

## 2.7 Access and Parking

### OBJECTIVE

- To ensure that pedestrian and vehicular access and egress points comply with the relevant standards and are best located to reduce potential for conflict, particularly in the areas where active non-residential frontages are proposed.
- To ensure that non-residential areas have adequate loading/unloading facilities.
- To ensure that after taking into account traffic generated by the development, the level of service on the surrounding road network remains at an acceptable level.
- To minimise traffic impacts whilst ensuring that there is adequate parking on site to meet the needs of the proposal, particularly resident parking.
- To ensure that residential and non-residential parking and access is appropriately delineated and managed to minimise conflict.
- To encourage the provision of non-residential uses, particularly uses such as cafes, restaurants and retail development that can add to the vitality of the area both day and night.
- To ensure that non-residential parking is available to all users.
- To reduce private vehicle usage and encourage the use of active transport (such as walking and cycling) and public transport.

### REQUIREMENTS

- The preferred locations for vehicle and service vehicle access is shown on **Figure 6**. No access will be permitted to The Entrance Road.
- Any loading dock provided for the development should be designed to cater for the largest likely service vehicle, be separate from general parking and pedestrian areas and have minimal impact on the streetscape and visual quality of the area.
- Parking is to be provided in accordance with rates contained in Wyong Development Control Plan 2005, Chapter 61, however the parking required for uses including cafes, restaurants, bars and shops shall be reduced by 50% to encourage the provision of such uses in accordance with the above objectives and in acknowledgment of the residential density of the surrounding area, use of these facilities by the residents of the development and the shared and multi purpose nature of trips by tourists and visitors in general to this part of The Entrance.
- Where it can be demonstrated that peak parking demand for proposed uses is different (eg commercial parking and residential visitor parking) Council may permit a sharing of the required parking for such uses.
- A Traffic and Transport Study is to accompany a development application and is to identify:
  - The traffic generated by the development and the impact it will have on the existing road infrastructure. Any works required to accommodate the additional traffic generated is to be identified in the study. The study must consider the changes to the potential changes to road network envisaged in The Entrance Town Centre Master Plan.
  - The number of car parking spaces required in accordance with this development control plan chapter and Wyong Development Control Plan 2005, Chapter 61 and the number of spaces identified on site.
  - How the use of public transport will be encouraged.

- What facilities will be required to safely control the movement of pedestrians cyclists from the site to Memorial Park.
- Cycling facilities required to encourage cycling to and from the development.

## 2.8 Sustainability and Green Building Solutions

### OBJECTIVE

- To achieve a high level of sustainability on the site.
- To incorporate green building solutions that adopt design, construction and operational practices that minimise use of natural resources and significantly mitigate the unreasonable adverse impacts of the development on the environment and its occupants.

### REQUIREMENTS

- To achieve a better than complying outcome in relation to Section J1 and J2 of the BCA.
- To achieve a better than complying outcome in relation to BASIX.
- To achieve Passive Solar Design.

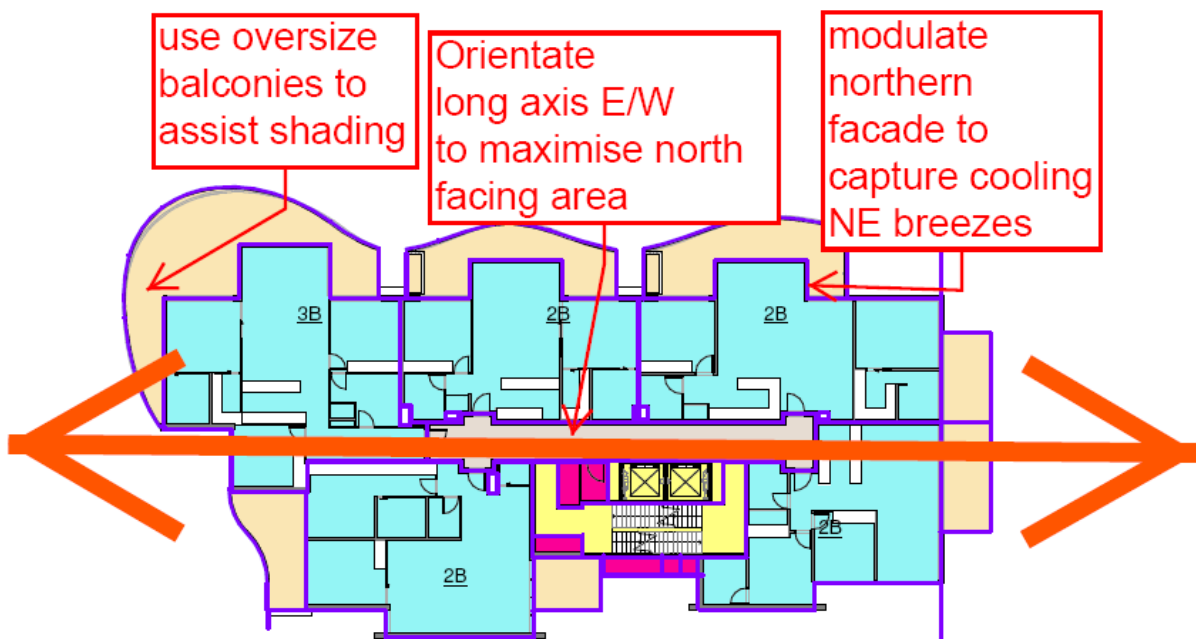


Figure 8: Indicative Building Amenity Features

Orientation	Dwellings to be orientated to take advantage of the local conditions; to optimise solar access in winter and cooling winds in summer. Windows and ventilation openings will be located to take advantage of prevailing winds for cooling while providing protection from the wind during cold winter periods.
Shading	<p>Building facades with large areas of glazing will have a combination of external shading and performance glass to reduce heat transfer and radiant temperatures in proximity to the windows. Shading will be developed to minimise excessive solar gains in summer yet allow passive solar heating in winter.</p> <p>External common areas will also be provided with sufficient shading and protection from summer sun and cool winter winds for extended external comfort conditions.</p>
Insulation	Heating and cooling loads will be reduced by the incorporation of appropriate levels of insulation for the local climate zone, moderating radiant temperatures from internal surfaces to improve comfort and reducing ongoing operating costs.
Glazing	Selecting glazing to avoid heat gains in the summer, while reducing losses in the winter and to maximise daylight levels within the buildings.
<ul style="list-style-type: none"> <li>▪ To achieve occupant amenity</li> </ul>	
Mixed Use	To promote local business and reduce resident's reliance on private car trips, the development will incorporate a number of retail and commercial spaces. Through offering shopping and work options within walking distance of homes, a shift from car use to walking and cycling is expected.
Transport	<p>The site is well serviced by a number of bus stops with regular bus services and the development will offer provisions for secure bicycle facilities.</p> <p>Many cycle and pedestrian paths are located adjoining the site.</p>
Private External Space	<p>All dwellings are to be provided with private external space. Consideration should be given to providing external space with solar access in winter and shading in summer.</p> <p>Providing useable private external space will provide the opportunity for occupants to reduce the amount of time spent indoors, which is linked to increased well-being and also to connect to the natural environment.</p>
<ul style="list-style-type: none"> <li>▪ To achieve Indoor Environmental Quality</li> </ul>	
Daylight, Glare and Views	The extent of glazing will be optimised to allow maximum daylight, views, and winter sun, while minimising uncomfortable glare and excessive solar heat gains in summer. Glazing should be selected to maximise daylight penetration and views, while mitigating glare and excessive solar heat gains;
Air Quality	<p>Ventilation openings are to maximise natural cross-ventilation and reduce AC energy.</p> <p>Contamination of indoor air will be minimised at the source through careful consideration of finishes and materials to reduce air-borne pollutants, toxins and irritants.</p>
Acoustic Quality	Internal noise will be restricted to acceptable levels in accordance with Australian Standard AS/NZS 2107:2000, including general building and services noise;



Thermal Comfort	Comfort within the buildings will be improved by well-considered passive design including insulation, shading, natural ventilation and adequate ventilation openings, in order to minimise heat losses/gains and improve thermal performance.
<ul style="list-style-type: none"> <li>▪ To achieve efficient systems</li> </ul>	
Lighting	Efficient light fittings such as LED lamps are preferred throughout common areas and dwellings. Efficiency controls will be provided including timers and motions sensors in car parks, common areas and infrequently used areas such as plant rooms;
Heating, Cooling and Ventilation	<p>Where air conditioning is required to apartments, energy-efficient systems will be specified. Comfort conditions will be challenged and air conditioning avoided where possible.</p> <p>Air conditioning should be zoned so that only occupied areas are cooled, and spaces with different occupancy patterns or different cooling loads are zoned separately.</p> <p>Residential kitchens should be individually ducted to the façade, with efficiency controls.</p> <p>Carparks will have passive supply and/or exhaust (depending on floor plate and location).</p>
Hot Water	Renewable or low-carbon water heating will be provided for domestic hot water if feasible. Investigations will be conducted into gas and solar hot water (SHW) heating systems.
Metering	Where feasible, water and energy metering will be provided to enable residents and building management to monitor consumption.
Vertical Transportation (Elevators)	Vertical transport will demonstrate operational efficiency in both stand-by and travel mode. Elevator car lighting will be LED or better and on occupancy sensor 100% of the time to ensure they are off when standing-by.
Light Pollution	<p>For the residential development, external lighting will be designed with consideration to the light source efficacy and light pollution minimised in line with Australian Standards.</p> <p>External lighting will be connected to daylight sensors (daylight sensors can be combined with a time switch).</p>
<ul style="list-style-type: none"> <li>▪ To achieve water efficiency</li> </ul>	
Fittings and Fixtures	<p>All fittings will be WELS rated to minimise total water consumption (all areas tenants; common areas, landscaping, retail areas, basement, garbage rooms). Where feasible, the following minimum efficiency ratings are to be applied:</p> <p>Wash hand basin and kitchen taps - 4-Star;          WC's – 4-Star dual flush; and          Showerheads – 3-Star (&lt;7.5L/min).</p>
Appliances & Equipment	<p>Where installed, water-efficient appliances will be selected, if feasible:</p> <p>4 star water-efficient dishwashers; and          Select equipment and size pipe-work to maximise efficiency.</p>

Landscape	The use of indigenous, drought-resistant planting will be encouraged to reduce water consumption used in irrigation.
Alternative Sources Rainwater	If viable/feasible the storage and reuse of rainwater will be used in applications such as:  Common area landscape irrigation; Toilet-flushing; and Car washing and wash-down.
Flows to Sewer	Estimated wastewater discharge to sewer will be significantly reduced relative to a standard building through the implementation of water efficiency measures.
Stormwater Management	Rainwater collection will be use on-site where viable/feasible to minimise peak-runoff quantities.  Appropriate measure will be incorporated to maintain or improve the quality of stormwater runoff.  A Stormwater Management Plan will be prepared with any DA.
Metering	The provisions of water metering will be investigated to identify abnormal usage patterns usually associated with leaks, to reduce the amount of water lost in this way.

## 4.9 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: C2014/01723 - D06214208

MANAGER: Lesley Crawley; Manager Corporate Governance

AUTHOR: Lisa Martin; Administration Assistant

### SUMMARY

Councillors propose the following allocation of funds for expenditure from Councillors' Community Improvement Grants (CCIG).

### RECOMMENDATION

***That Council allocate an amount of \$4240.00 from the 2013-14 Councillors' Community Improvement Grants as follows:***

<b>9 April 2014</b>		
<b><i>Berkeley Vale Neighbourhood Centre Assoc Inc. (\$600)</i></b>	<b><i>To purchase a petrol generated irrigation pump for the Berkeley Vale Community Garden to assist in the distribution of water from the tank across the site.</i></b>	<b><i>460</i></b>
<b><i>Central Coast Bombers (\$1400)</i></b>	<b><i>Provide playing uniforms for women and girls only teams in first year of women's and girls only competition in AFL.</i></b>	<b><i>740</i></b>
<b><i>Homeless No More (\$3500)</i></b>	<b><i>Facilitate recruitment workshops.</i></b>	<b><i>650</i></b>
<b><i>Homeless No More (\$3500)</i></b>	<b><i>Annual Charity Walkathon</i></b>	<b><i>1,150</i></b>
<b><i>Long Jetty and District Senior Citizens Club (\$1000)</i></b>	<b><i>Seniors Week Program</i></b>	<b><i>550</i></b>
<b><i>NSW Active Retirees and Mentors Inc. (\$4000)</i></b>	<b><i>Volunteers to attend an accredited Training Course</i></b>	<b><i>200</i></b>
<b><i>PFLAG NSW Central Coast (\$490) (Emergency Approved by GM)</i></b>	<b><i>Funding to be represented at G.O.A.T.S. Festival (e.g. stall hire, banner, info brochures)</i></b>	<b><i>490</i></b>
<b><i>The Entrance Bateau Bay Australian Football Club (\$2000)</i></b>	<b><i>Upgrade training and playing equipment.</i></b>	<b><i>300</i></b>
<b><i>The Glen Drug and Alcohol Rehabilitation Centre/Ngaimpe Aboriginal Corporation (\$4000) (Emergency Approved by GM)</i></b>	<b><i>Bringing a rugby league charity match of former State of Origin players to the Wyong Shire. Coaching clinics, hospital visits.</i></b>	<b><i>4,000</i></b>
<b><i>The Rotary Club of The Entrance (\$4000)</i></b>	<b><i>The Rotary Youth Driver Awareness Program (RYDA) is a one day out of school program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers.</i></b>	<b><i>900</i></b>
<b><i>Tuggerah Lakes Memorial Pistol Club Inc. (\$3800)</i></b>	<b><i>Roofing over 25m Pistol Frames in Range 3</i></b>	<b><i>2,150</i></b>

## 4.9 Proposed Councillors' Community Improvement Grants (contd)

### BACKGROUND

Provision has been made in Council's Annual Plan for each Councillor to recommend to Council the donation of funds to individuals, local service, charitable or community organisations that operate in the Shire or provide a benefit specifically to the residents of the Shire.

Funds may also be allocated for emergency assistance in the event of natural disasters such as bushfires, flood or drought anywhere in Australia, subject to CCIG Policy. The funds are granted subject to approval of the Council as a whole.

### THE PROPOSAL

Under Council's Policy, all proposed allocations are subject to the approval of the Council as a whole.

Each Councillor is allocated a one tenth share of a total amount identified annually in Council's Annual Plan.

The amount allocated in the 2013-14 Annual Plan is \$130,000 with a reallocation by Council of additional \$20,000 at its meeting held on 24 July 2013. The total amount allocated for 2013/2014 is \$150,000.

The proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
Allocation 01/07/2013 - 31/05/2014		15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	150,000.00
Expenditure up to and including Ordinary Council Meeting of 12 March 2014		7,169.00	5,000.00	6,941.00	7,850.00	4,750.00	3,000.00	2,500.00	2,351.90	6,060.81	8,550.00	54,172.71
Available allocation as at 12 March 2014		7,831.00	10,000.00	8,059.00	7,150.00	10,250.00	12,000.00	12,500.00	12,648.10	8,939.19	6,450.00	95,827.29
9 April 2014												
Berkeley Vale Neighbourhood Centre Assoc Inc. (\$600)	To purchase a petrol generated irrigation pump for the Berkeley Vale Community Garden to assist in the distribution of water from the tank across the site.	60	200			200						460
Central Coast Bombers (\$1400)	Provide playing uniforms for women and girls only teams in first year of women's and girls only competition in AFL.	140	100				500					740
Homeless No More (\$3500)	Facilitate recruitment workshops.	150				500						650
Homeless No More (\$3500)	Annual Charity Walkathon	150				500		500				1,150
Long Jetty and District Senior Citizens Club (\$1000)	Seniors Week Program	100	250			200						550
NSW Active Retirees and Mentors Inc. (\$4000)	Volunteers to attend an accredited Training Course	200										200
PFLAG NSW Central Coast (\$490) (Emergency Approved by GM)	Funding to be represented at G.O.A.T.S. Festival (e.g. stall hire, banner, info brochures)	49				191	250					490
The Entrance Bateau Bay Australian Football Club (\$2000)	Upgrade training and playing equipment.	100	200									300
The Glen Drug and Alcohol Rehabilitation Centre/Ngaimpe Aboriginal Corporation (\$4000) (Emergency Approved by GM)	Brining a rugby league charity match of former State of Origin players to the Wyong Shire. Coaching clinics, hospital visits.	200	1,000			500	500	1,000	500		300	4,000
The Rotary Club of The Entrance (\$4000)	The Rotary Youth Driver Awareness Program (RYDA) is a one day out of school program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers.	200	250			200	250					900
Tuggerah Lakes Memorial Pistol Club Inc. (\$3800)	Roofing over 25m Pistol Frames in Range 3	150	500	1,000					500			2,150
Total Proposed Allocations for 9 April 2014		1,499.00	550.00	0.00	0.00	2,291.00	750.00	0.00	500.00	0.00	0.00	4,240.00
Total Accumulated Allocations as at 9 April 2014		8,668.00	5,550.00	6,941.00	7,850.00	7,041.00	3,750.00	2,500.00	2,851.90	6,060.81	8,550.00	58,412.71
Balance Uncommitted as at 9 April 2014		6,332.00	9,450.00	8,059.00	7,150.00	7,959.00	11,250.00	12,500.00	12,148.10	8,939.19	6,450.00	91,587.29

### OPTIONS

- 1 Approval of applications as submitted will provide a community benefit to residents of the Shire.
- 2 Non approval could result in assistance not being provided to the community.

**STRATEGIC LINKS****Annual Plan**

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

**Contribution of Proposal to the Principal Activity**

The Councillors' Community Improvement Grants were developed to help charitable community groups and in doing so helping the broader community.

**Link to Shire Strategic Vision**

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
<b>Communities</b> - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.
<b>Facilities and Services</b> - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.

**Financial Implications**

Expenditure is approved until the end of the 2013-14 financial year. Unspent approvals lapse 31 May 2014.

**Principles of Sustainability**

The CCIG program is aligned with the principles of sustainability in that it would:

- Improve and maintain safety, wellbeing and sense of community
- Use locally available resources to increase our self-reliance
- Support local and regional economic prosperity
- Build and strengthen partnerships and alliances

**CONSULTATION**

Applications that met the criteria were distributed to Councillors for their consideration.

**GOVERNANCE**

All expenditure recommended is permissible under Section 24 and 356(1) of the Local Government Act 1993.

**CORPORATE RISKS**

Nil impact.

**CONCLUSION**

The proposed allocations contained in this report are permissible under the Council's policy on Councillors' Community Improvement Grants. The process has been correct and Council may confirm the grants at its option.

**ATTACHMENTS**

Nil

#### **4.10 Draft Minutes of the Waste Watch Committee Meeting - 27 February 2014**

---

TRIM REFERENCE: F2013/02021 - D06392738

MANAGER: Lesley Crawley, Manager

AUTHOR: Sonia Witt; TL Governance and Councillor Services

#### **SUMMARY**

The Draft minutes of the Waste Watch Committee meeting of 27 February 2014 are submitted to Council for consideration.

#### **RECOMMENDATION**

- 1 That Council receive and note the draft minutes of the Waste Watch Committee meeting held on 27 February 2014.**
- 2 That Council endorse the renaming of the Waste Watch Committee to the Expenditure Review Committee.**
- 3 That Council adopt the amended Terms of Reference for the Expenditure Review Committee to amend the name and the quorum.**
- 4 That Council provide a report to the Expenditure Review Committee with details on the number of kerbside pickups throughout the Shire.**
- 5 That Council provide a report to the Expenditure Review Committee on the viability of having a scheme were residents can either use the telephone booking service for waste pick up or pro-rata for taking to landfill.**
- 6 That Council provide a report to the Expenditure Review Committee on the comparative costs of servicing new subdivisions and the respective rates income.**

#### **BACKGROUND**

A meeting of the Waste Watch Committee was held on 27 February 2014.

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly the Committee's recommendations are reported to Council for consideration.

The draft minutes of the 27 February 2014 meeting are set out in the attachment.

**ATTACHMENTS**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Draft Minutes - Waste Watch Committee Meeting held on 27 February 2014 | D05929792 |
| <b>2</b> | Amended Terms of Reference - Expenditure Review Committee              | D06395848 |



WYONG SHIRE COUNCIL

MINUTES OF THE  
**WASTE WATCH COMMITTEE OF COUNCIL**  
HELD IN THE TIM FARRELL AND WILFRED BARRETT COMMITTEE ROOMS  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 27 FEBRUARY 2014  
COMMENCING AT 5:00:00 PM

---

---

**PRESENT**

Councillors L S Taylor (Chairperson), L A Matthews (Deputy Chairperson), K G Greenwald, and A Troy.

**IN ATTENDANCE**

Councillor D J Eaton, Senior Project Executive, Acting Chief Financial Officer and one administration officer.

The Chairperson, Councillor Taylor, declared the meeting open at 5.25 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

**APOLOGY**

An apology for the inability to attend the meeting was received on behalf of Councillors Best Nayna and Vincent due to work commitments.

***RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor TROY:***

***That the Committee accept the apologies and grant leave of absence from the meeting.***

**1.1 Disclosure of Interest**

---

**RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor TROY:**

**That the Committee receive the report on Disclosure of Interest.**

**2.1 Terms of Reference and Functionality**

---

**RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor GREENWALD:**

**1 That the Committee note the Terms of Reference for the Waste Watch Committee adopted by Council on 11 December 2013.**

**2 That the Committee establishes its practical functioning by setting:-**

**a Standing items for the agenda to include;**

- Disclosure of Interest
- Confirmation of Minutes

**b Regular reports to include;**

- Chief Financial Officer Report
- Grant Funding (received)
- Effectiveness of Projects (eg GPS)

**c Preparation of the Agenda;**

- Draft business paper to be distributed to Chairperson and Senior Project Executive three weeks prior to meeting.

**d Approval of Minutes;**

- To be reviewed by Chairperson and Senior Project Executive prior to approval by Council.

**e Administrative support requirements;**

- To be provided by Councillor Services.

**3 That the Committee request Council to rename the committee to the Expenditure Review Committee.**

**4 That the Committee request Council to amend the Terms of Reference to reduce the quorum to three members.**

**2.2 Proposed Committee Meeting Dates for 2014**

---

**RESOLVED unanimously on the motion of Councillor MATTHEWS and seconded by Councillor TAYLOR:**

**1 That the Committee endorse the proposed meeting dates for 2014 with a commencement time of 5.30pm.**

2 That the Committee schedule an extraordinary meeting on 10 April 2014.

3.1 Infrastructure & Operations Waste Initiatives

---

**RESOLVED** unanimously on the motion of Councillor TROY and seconded by Councillor TAYLOR:

That the Committee defer consideration of this report until the extraordinary meeting.

**GENERAL BUSINESS**

**GB1/14 Kerbside Collections**

---

**RESOLVED** unanimously on the motion of Councillor GREENWALD and seconded by Councillor TROY:

- 1 That the Committee request the Acting Service Unit Manager of Commercial Enterprises to attend the extraordinary meeting to provide a briefing on kerbside collections.
- 2 That the Committee request Council provide a report with details on the number of kerbside pickups throughout the shire.
- 3 That the Committee request Council to provide a report on the viability of having a scheme where residents can either use the telephone booking service for waste pick up or a pro-rata for taking to landfill.

**GB2/14 Servicing New Subdivisions - Comparative Costs**

---

**RESOLVED** unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

That the Committee request Council to provide a report on the comparative costs of servicing new subdivisions and the respective rates income of new subdivisions and existing areas.

**THE MEETING** concluded at 6.17pm .



## Terms of reference for: Expenditure Review Committee

© Wyong Shire Council  
Wyong Shire Council  
2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
**P** 02 4350 5555 **F** 02 4351 2098  
**E** [wsc@wyong.nsw.gov.au](mailto:wsc@wyong.nsw.gov.au)  
**W** [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au)



<b>APPROVED BY COUNCIL</b>	<b>DATE:</b>
----------------------------	--------------

**History of Revisions:**

<b>Version</b>	<b>Date</b>	<b>TRIM Doc. #</b>
1	11 December 2013	D04468456
2	10 April 2014	

A. ROLE ..... 3

B. RESPONSIBILITY ..... 3

C. MEMBERSHIP ..... 3

D. ATTENDANCE ..... 3

E. CONDUCT OF THE COMMITTEE ..... 3

F. CHAIRPERSON..... 3

G. QUORUM..... 3

H. MEETING SCHEDULE..... 3

I. AGENDA..... 3

J. MINUTES AND REPORTING ..... 3

K. SECRETARY..... 3

L. CODE OF CONDUCT ..... 3

M. CEASSATION OF COMMITTEE..... 3

**A. ROLE**

The role of the Expenditure Review Committee is to:

- A1 To assist Council to ensure that the services and facilities provided by the Council are managed efficiently and effectively.
- A2 Identify strategies to assist with the continuous improvement of the provision of services and facilities to the community.
- A3 Promote continuous improvement as a vehicle for ongoing cost saving initiatives.
- A4 Ensure any cost saving strategy is aligned with Council's strategic direction.
- A5 The Committee has no authority to make decisions on behalf of the Council.
- A6 The Committee has no authority to direct staff.

**B. RESPONSIBILITY**

The Expenditure Review Committee is responsible for:

- B1 Providing strategic advice and guidance to Council on identifying, recommending and supporting initiatives that will provide cost savings to Council.
- B2 To investigate material items of Council expenditure and make recommendations as to improved efficiency and cost saving measures.
- B3 Reviewing Council's Strategic documents relating to the Terms of Reference for this Committee.
- B4 Reviewing policy documents relating to the Terms of Reference for this Committee.
- B5 Engaging with community on matters of efficiencies and cost savings.
- B6 Co-operatively engaging with other relevant bodies to further promote cost savings for the Wyong Shire Community.

**C. MEMBERSHIP**

- C1 The Council will determine the membership of the Committee.
- C2 The term of membership will be the term of the Council.
- C3 A minimum of two (2) Councillor(s).

**D. ATTENDANCE**

- D1 Any Councillor may attend the meetings of the Committee.
- D2 WSC Staff may attend the meetings of the Committee if directed by the General Manager.
- D3 The Committee meetings are open to the public. Addressing the meeting by interested persons is at the discretion of the Committee Chairperson.

- D4 Committee members are expected to attend all committee meetings where possible.
- D5 Where a Committee Member fails to attend three successive meetings without submitting a satisfactory explanation, a report will be submitted to Council for consideration.

**E. CONDUCT OF THE COMMITTEE**

- E1 The Committee will be conducted in accordance with the Local Government Act 1993 and the WSC Code of Meeting Practice, including but not limited to: Chairperson's responsibilities, setting of agenda, recording of minutes, conduct, voting and quorum.

**F. CHAIRPERSON**

- F1 The Chairperson of the Committee will be elected by Council or if the Council so chooses, the Committee.
- F2 The Chairperson is to have precedence at the meeting and conduct the meeting in accordance with the Local Government Act and the WSC Code of Meeting Practice.
- F3 In the absence of the Chairperson, another Councillor Member of the Committee shall Chair the meeting.
- F4 The Chairperson has the right to refuse a request from a member of the public to address the Committee if it is deemed more appropriate for that person to address a formal Council or Committee meeting.
- F5 The Chairperson of the Committee shall have a casting vote.

**G. QUORUM**

- G1 The quorum is at least three members of the Committee.

**H. MEETING SCHEDULE**

- H1 The Committee shall meet at least quarterly.
- H2 The Committee shall meet at times and dates determined by consensus of the Committee.
- H3 The Committee shall meet at the Wyong Civic Centre.

**I. AGENDA**

- I1 The Agenda shall be published on the WSC Website.



**J. MINUTES AND REPORTING**

- J1 Minutes will be taken for all meetings of the Committee.
- J2 Minutes of the meeting shall be reported to the Council for adoption.
- J3 Minutes of the meeting shall be recorded in WSC information management database.
- J4 Minutes shall be published on the WSC Website.

**K. SECRETARY**

- K1 The administration of the Committee shall be undertaken by the Corporate Governance Unit.

**L. CODE OF CONDUCT**

- L1 All Committee Members are required to comply with WSC Policies including the WSC Code of Conduct.

**M. CEASSATION OF COMMITTEE**

- M1 The Committee shall cease to operate 40 days prior to the Local Government Election.

#### **4.11 Councillor Attendance - Special Olympics New South Wales 2014 Gala Dinner**

---

TRIM REFERENCE: F2004/06517 - D06503744  
MANAGER: Lesley Crawley, Manager  
AUTHOR: Fiona Kurtz; Councillor Services Officer

#### **SUMMARY**

Council has received notification of the upcoming Special Olympics, New South Wales, 2014 Gala Dinner to be held at Avoca Beach Surf Lifesaving Club, Avoca Beach Friday 9 May 2014 from 7.00pm.

#### **RECOMMENDATION**

- 1 That Council authorise those interested Councillors to attend The Special Olympics, New South Wales, 2014 Gala Dinner.**
- 2 That Council meet reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy for Councillors.**

#### **BACKGROUND**

Through the power of sport, the Special Olympics strive to create a better world by fostering the acceptance and inclusion of all people especially those with an intellectual disability.

The global mission of Special Olympics is to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with an intellectual disability, giving them continuing opportunities to develop physical fitness demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other Special Olympics athletes and the community.

Clause C6 of Council's Facilities and Expenses Policy for Councillors provides for expenses to be met for these events.

- C6 *Council Business or functions of civic office attendance by the Mayor and Councillors that results in a direct benefit for the Council or the Wyong Shire Community at:*
- *Other events, functions or meetings as authorised by Council resolution"*

**4.11 Councillor Attendance - Special Olympics New South Wales 2014 Gala Dinner (contd)**

In relation to attendance of spouses and partners Clause D17 of Council's Facilities and Expenses Policy for Councillors provides:

*"D17 Council will pay the cost as further described in this section, for a spouse or partners or carer or one accompanying person per Councillor, in attending the following events as per the table below:*

<b>Event</b>	<b>Registration</b>	<b>Ticket</b>	<b>Accommodation</b>	<b>Sustenance</b>	<b>Partner Tours</b>	<b>Travel</b>	<b>Carer</b>
Other Council approved conferences and events	No	No	Yes. If staying in same room as Councillor	Yes if for official conference events. (eg formal dinner, welcome drinks) No additional meals and beverages included	No	Yes. If travelling In company of Councillor in same vehicle No additional air or other travel fares included)	Yes

**THE PROPOSAL**

The Special Olympics, New South Wales, 2014 Gala Dinner will be held at Avoca Beach Surf Lifesaving Club, Avoca Beach Friday 9 May 2014 from 7.00pm.

**STRATEGIC LINKS**

**Annual Plan**

**Nil Impact**

**Budget Impact**

The table below indicates the cost for attendance at The Special Olympics, New South Wales, 2014 Gala Dinner

<b>The Special Olympics, New South Wales, 2014 Gala Dinner</b>	<b>Partner Fees</b>	<b>Councillor Fees</b>
Registration/Tickets (incl GST)	80.00	80.00
Travel (by vehicle approx 50 kilometres @.76)		50.00
Childcare (Approx 35.00 an hour)		175.00
<b>Total estimate per Councillor attending</b>	<b>80.00</b>	<b>305.00</b>

### **GOVERNANCE AND POLICY IMPLICATIONS**

In accordance with Clause C1 of Council's Facilities and Expenses Policy for Councillors, WSC will pay for expenses that need to be met for this event.

In accordance with Clause D17 of WSC Policy on Facilities and Expenses for Councillors, WSC will pay for sustenance costs for spouses or partners if accompanied by a Councillor at events officially sanctioned by the Council. This report seeks Council's authorisation of the function.

### **CONCLUSION**

The function listed would be of benefit to the Councillors and attendance is encouraged.

### **ATTACHMENTS**

- 1 Special Olympics New South Wales 2014 Gala Night D06503737

# 2014 Gala Dinner



*Special Olympics  
New South Wales*

**Friday May 9**

**Avoca Beach Surf Club**

**7:00pm**

MC: Jaimee Rogers, Presenter/Promotions Manager, Tabcorp

**Sports Panel featuring Central Coast Mariners stars  
Mile Sterjovski & John Hutchinson and rugby league  
great Brett Kenny**

With entertainment from Michael Archer (opera singer), Giuseppe Zangari (classical guitarist) and Ty McGill (Special Olympics singer).

Tickets are \$80 per person or  
\$800 for table of 10  
(includes three-course meal &  
entertainment)

To book please contact  
Andy Paschalidis on 0467 764 598 or  
[andyp@specialolympics.com.au](mailto:andyp@specialolympics.com.au)



Proudly supported by



## **4.12 Public Library Funding Campaign**

---

TRIM REFERENCE: F2004/11651 - D06551269

MANAGER: Sue Ledingham, Manager

AUTHOR: Andrea Edwards; Coordinator

### **SUMMARY**

NSW Public Library Associations are seeking support from Wyong Shire Council and all Local Government Councils for increased State funding to local government for public libraries.

Currently there is a high degree of uncertainty as to the level of ongoing funding for public libraries in NSW from the State Government. The intent of the NSW Library Act in 1939 was for equal funding from state and local governments to provide library services. Since that time local government has increasingly carried the funding burden and the situation has deteriorated significantly over the past few decades.

Council has been asked to support the forthcoming funding campaign commencing on 7 April 2014.

### **RECOMMENDATION**

- 1 That Council support the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries.**
- 2 That Council provides representation to the local State Member in relation to the need for additional funding from the NSW State Government for the provision of public library services.**
- 3 That Council request the General Manager to write to the Hon. George Souris, Minister for the Arts, calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries.**
- 4 That Council approve the distribution of NSW Public Library Associations campaign information in Council libraries.**

### **BACKGROUND**

The intent of the NSW Library Act in 1939 was for equal funding from State and local governments to provide library services. Since that time local government has increasingly carried the funding burden for the delivery of vital library services to support local communities.

The situation in relation to funding levels has deteriorated significantly over the past few decades and this has now reached a point where local government is paying a much higher proportion to fund library services within their communities. The key issues impacting on local government in relation to the funding are:

#### 4.12 Public Library Funding Campaign (contd)

---

- NSW receives the lowest per-capita funding for public libraries from the State Government of all states in Australia;
- State Government expenditure on public libraries has decreased as a proportion of total public library expenditure from 23% in 1980 to 7% in 2013.
- NSW local government councils are currently paying 93% of the costs to operate public libraries in NSW (which are governed by State legislation);
- The current NSW Public Library Funding Strategy includes three components:
  - Per capita subsidy (legislated at \$1.85 per NSW resident) - \$13,503,243.00 in 2012-13
  - Disability & Geographic Adjustment (DGA) - includes a component of population-based payments and a proportion of payments based on five disability factors developed by the NSW Local Government Grants Commission (pre-school children; people over 65; people from a NESB; population distribution; isolation ) - \$6,551,966.00
  - Library Development Grants - \$549,996.00 (this amount has reduced from \$3.3M in 2005-06)
- The NSW Public Library Funding Strategy is not indexed to population growth or the consumer price index (CPI). This means that:
  - Funds have been taken from the Library Development Grant pool over a number of years to meet the increased per capita subsidy costs (and the per-capita component of the Disability and Geographic Adjustment fund) as the NSW population increases each year. If the government had not provided an “additional” \$2M to maintain the Country Public Libraries fund contribution in 2013-14, there would be no funding left for Library Development Grants; and
  - If the current funding situation is not addressed urgently, NSW councils will suffer a reduction in their Disability and Geographic Adjustment payments to meet the increase in legislated per-capita subsidy costs for additional NSW population.

During the 2011 election campaign, the current NSW State Government made a pre-election commitment to undertake a comprehensive review of the quantum and allocation of funding for NSW public libraries. To date there has been no significant action by the government to meet this commitment.

In the absence of any Government action, the Library Council of NSW used the Government's pre-election commitment as a trigger to convene a committee of representatives from the Public Libraries NSW Association (representing regional and rural councils and libraries), the NSW Metropolitan Public Libraries Association (representing metropolitan councils and libraries), and the State Library of NSW, to develop an evidence-based submission about public library funding.

The Library Council of NSW then provided a submission to the State Government called Reforming Public Library Funding in October 2012. The evidence-based submission recommended a fairer, simplified and more transparent method for the distribution of funds.

The following principles for a new approach were recommended:

- Establish a base level of funding for councils with populations below 20,000 people (a safety net for small councils)

## 4.12 Public Library Funding Campaign (contd)

---

- Grant a modest increase in per capita allocations for all councils to recognise cost movements since 1994
- Address disadvantage transparently through the application of appropriate disability factors
- Phase out anomalies in current allocations due to former council amalgamations;
- Ensure sustainability by providing that no council receives less recurrent funding than 2012/13 and
- Build and maintain infrastructure via a substantial capital fund, entitled The Building Library Infrastructure Program

### CURRENT STATUS

The Library Council recommended that recurrent public library funding to councils be adjusted from the current \$26.5M to \$30M per annum from 2013/14 and indexed from the following year.

This would be allocated as follows: 68% (\$20.4M in 2013/14) to councils by population with a base level of funding for councils with fewer than 20,000 residents, 17% (\$5.1M) to councils by NSW Local Government Grants Commission (LGGC) disability factors to explicitly address disadvantage and 15% (\$4.5M) applied to Statewide Programs.

In addition, a *Building Library Infrastructure Program* of \$30M per annum for building and maintaining infrastructure was recommended to replace the now defunct provision of grants from operating funds. This program would enable councils to renew library buildings, systems, collections and equipment in regional, urban and growth areas.

It was proposed that this be phased in, rising to \$30M over the four years from 2013/14 and indexed thereafter.

Whilst Wyong Shire Council did not write to Hon. George Souris, Minister for the Arts during 2012 requesting support of the *the Reforming Public Library Funding* strategy, a number of NSW Councils did. Despite a high level of expectation that the State Government would fulfil its pre-election undertaking to review and increase its funding allocation to NSW public libraries, this did not eventuate in the 2013 State budget.

### THE PROPOSAL

The NSW Public Library Associations (NSWPLA), representing both country and metropolitan libraries, are now co-ordinating a targeted campaign to bring the situation to the attention of politicians and funding decision makers to address the problem. Local Government NSW (LGNSW) and the Australian Library and Information Association (ALIA) are assisting NSW PLA in this campaign.

The annual per capita subsidy, Disability and Geographic Adjustment funding provides a much needed funding support to Wyong Shire Council for the provision of library services to our community. Our community both value and deserve to have access to library services to support their individual and collective lifelong learning outcomes.

Any decreases to funding will greatly impact on Council's ability to continue to deliver valued and important library services to our growing community.



## **4.12 Public Library Funding Campaign (contd)**

---

It is recommended that Council provide support to the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries.

### **OPTIONS**

1. Council supports this funding campaign through the recommendations proposed for the future of public library funding in NSW.
2. No support for this campaign, whilst not directly impacting on current service funding could result in our library service suffering a reduction in State Government funding in the future to support the growing population expected over the next 10 years.

### **CONSULTATION**

Local Government NSW (LGNSW) and the Australian Library and Information Association (ALIA) are assisting NSWPLA in this campaign and information will be provided to councils and public libraries on an ongoing basis from these bodies throughout the campaign. In addition, local supporters of public libraries including Friends of the Library groups and library users will be engaged in the campaign to lobby State Members through the 2014-2015 State Government budget process.

There will be high level media engagement and local and national champions of public libraries will be advocating for funding reform.

Council can support the distribution of the campaign information through our library services, e-newsletter and social media channels.

### **CONCLUSION**

The intent of the NSW Library Act in 1939 was for equal funding from State and local governments to provide library services. Since that time local government has increasingly carried the funding burden and the situation has deteriorated significantly over the past few decades.

Council has been called upon by the NSW Public Library Associations (NSW PLA), to support this campaign which seeks to influence future contribution from the State for a better funding model.

### **ATTACHMENTS**

*Nil.*

## **5.1 Options for Dredging Ourimbah Creek mouth within the current dredging budget**

---

TRIM REFERENCE: F2004/07986 - D06121305

MANAGER: Andrew Pearce, Manager

AUTHOR: Louise McDonald; Personal Assistant to Manager

### **SUMMARY**

A report on the Options for Dredging Ourimbah Creek mouth within the current dredging budget

### **RECOMMENDATION**

***That Council receive the report on the Options for Dredging Ourimbah Creek mouth within the current dredging budget.***

### **BACKGROUND**

At the 6 February 2014 TLEC&FM Committee meeting, the committee requested that consideration be given to a dredging program for the mouth of Ourimbah Creek this financial year in preference to dredging The Entrance channel.

As part of the consideration of the minutes from the February meeting of the Tuggerah Lakes Estuary and Coastal Floodplain Management (TLEC&M) Committee Meeting

Council at its meeting held 26 February 2014:

*“RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor TAYLOR:*

*157/14 That Council request the General Manager to provide a preliminary report on the options for dredging Ourimbah Creek mouth within the current dredging budget.”*

A report on the current status of the location and the requirements for the project to proceed was provided to the TLEC&FM Committee meeting held on 6 March 2014 and is attached. A series of time sequenced photos and measures of tidal amplitude were also presented to highlight staff projections that the channel will narrow significantly by the end of the year if maintenance dredging does not proceed.

In summary, Council has recently completed a hydrographic study of the mouth of Ourimbah Creek and confirmed that the shallowest area of the main channel has a depth of between 0.87 and 1.07 metres. This occurrence has the ability to limit navigation by larger vessels however it has no impact on flood behaviour or tidal movement.

The report also identified the wide range of additional studies and approvals which are still required to be completed prior to the commencement of any dredging.

## 5.1 Options for Dredging Ourimbah Creek mouth within the current dredging budget (contd)

---

These include:

- Identification of design bed levels for post dredging
- Calculation of volumes
- Analysis of composition of dredged material (note: the dredged material will be fine mud and organics, not clean sand)
- Identification of equipment and methodology to undertake dredging
- Identification of stockpile areas and disposal/nourishment locations (note: the dewatering/treatment/handling/disposal of the fine muds and organics is anticipated to be represent a major proportion of the cost of the project)
- Project estimation
- Stakeholder consultation
- Acquire necessary approvals, including from the Crown, as owner of the land
- Procurement of the necessary equipment/contractors

With all the aforementioned investigation and planning works, implementation in 2013/14 is not achievable.

It is further noted that on the 4 March 2014 the NSW Government announced a new \$1.5M grant funding arrangement for dredging whereby 50% funding is available for both planning and delivery of projects in 2014/2015.

A preliminary assessment indicates the dredging of Ourimbah Creek meets the funding criteria however it would be subject to competing priorities for the limited budget. Staff are currently defining the scope of the project to coincide with the grant submission deadline of 14 April 2014, with a view to completing the necessary preplanning and approvals in the 2014/15 financial year. Staff are also proposing to submit an application for 50% funding assistance to undertake dredging of The Entrance channel in 14/15.

### ATTACHMENTS

- 1 Consideration of Dredging Needs for Ourimbah Creek Mouth D05913392

6 March 2014

Director's Report

To the Tuggerah Lakes Estuary, Coastal and  
Floodplain Management Committee

Infrastructure and Operations

---

**2.5 Consideration of Dredging Needs for Ourimbah Creek Mouth**

---

TRIM REFERENCE: F2004/07986 - D05913392

MANAGER: Andrew Pearce, Manager

AUTHOR: Luke Sulkowski; Waterways and Coastal Section Manager

**SUMMARY**

At the previous TLEC&FM Committee meeting, the committee requested consideration be given to a dredging program for the mouth of Ourimbah Creek this financial year in preference to dredging The Entrance channel as has been proposed. This report provides information on the current status of the location and the requirements for the project to proceed.

**RECOMMENDATION**

***That the Committee receive the report on Consideration of Dredging Needs for Ourimbah Creek Mouth.***

**BACKGROUND****Current Assessment of Ourimbah Creek**

In August 2013 staff arranged for a hydrographic survey of a number of creek mouths around the Tuggerah Lakes Estuary to determine presence and extent of any blockages and whether it was affecting navigation. Ourimbah Creek was included in this assessment.

The extent of the survey undertaken is shown in Figure 1.



**Figure 1:** Extent of Hydrographic survey of Ourimbah Creek August 2013.

Of the areas surveyed, it was only those areas closest to the mouth of the creek (i.e. where it entered the estuary) where significant concerns were identified. The survey results for the area identified were broken up into 4 different pages. Pages 3 and 4, where the most significant issues presented themselves, are included as Figures 2, and 3 respectively.





**Figure 3:** Page 4 of Ourimbah Creek Survey Results (Large copies will be provided at meeting).

The south eastern extent of the channel in Figure 2 identifies a number of areas where the deepest sections of the channel have been surveyed at being between -0.6m AHD and -0.8m AHD.

The north western extent of the channel in Figure 3 also identifies a number of areas where the deepest sections of the channel have been surveyed at being between -0.6m AHD and -0.8m AHD.

At the time of survey, water levels were assessed at 0.42m AHD but as at 26 February 2014, water levels at Ourimbah Creek are being measured at only 0.27m AHD.

Based on current water levels, and assuming the lake bed is the same as when surveyed in August 2013, current water depths of the navigation channel at the southern end of the survey area shown in Figure 2 are between 0.87 and 1.07 metres. Navigation for most boats at this depth would be difficult.

Like all parts of the Tuggerah Lakes Estuary, Ourimbah Creek is considered crown land and is therefore a state government asset. Boating and navigation is controlled by Roads and Maritime Services. Council has no direct responsibility over the maintenance of the waterway, although it is understood that promoting a vibrant, healthy and accessible estuary is of benefit to the wider Wyong Shire community and its visitors.

### **Requirements for Dredging**

A number of investigations and approvals would need to be completed prior to commencing a dredging program at Ourimbah Creek. These would include:

- Identification of preferred design lake bed levels for post dredging to allow navigable access
- Calculation of sediment volumes to be removed
- Consideration of dredged sediment profiles with regards to dredging including
  - consideration and management of potential acid sulfate soils
  - consideration of the how free draining the sediment is
- Identification of suitable stockpile areas and disposal or nourishment locations
- Stakeholder consultation
- Acquire necessary approvals under the Environmental Planning and Assessment Act
- Acquire necessary approvals from the Crown and Department of Primary Industries as landowners and regulators of the Fisheries Management Act
- Identification of appropriate equipment to undertake the operation (Council's dredge may prove unsuitable)
- Procurement of necessary equipment/ contractors

With all of the aforementioned planning works required, it is considered that to implement a program before July 2014 would be unachievable.

In addition to this, an announcement is expected shortly from the NSW Government regarding a new grant program for dredging. In a previous incarnation of this program, Wyong Shire Council were successful in securing 50% funding for dredging the channel of Summerland Point Boat Harbour.



In discussions with the crown, the new program would similarly be up to 50% funded, and would allow for inclusion of planning and approvals costs.

### **The Entrance Channel Dredging**

Some triggers have been reached to allow the commencement of The Entrance Channel dredging program. Staff are still planning towards a program commencement following Easter 2014.

Although there is still an exchange of water between the estuary and the ocean, delay of The Entrance Channel dredging program this winter, could allow for more filling of the channel prior to the 2014/15 summer period. In anticipation of the potential for flow restriction between now and summer, staff still consider that it may still be prudent to dredge The Entrance Channel this winter to maintain the exchange of water between the lake and ocean.

Under the previously mentioned dredging grant program, it is worth noting that Council staff have previously applied for funding under this program to dredge The Entrance Channel but have been unsuccessful.

### **ATTACHMENTS**

*Nil.*

## 5.2 Road Capital Works Program

---

TRIM REFERENCE: F2011/00879 - D06152798

MANAGER: Peter Murray, Manager

AUTHOR: Stuart Baverstock; Manager

### SUMMARY

Council's 2013/14 Strategic Plan commits Council to a road pavement renewal, upgrade and resealing rolling works program with the objective of improving the overall pavement network condition and corresponding levels of service. The following report summarises the timing of projects planned for the following 12 month period.

### RECOMMENDATION

***That Council receive the report on the status of the Council's Road Capital Rolling Works Program.***

### BACKGROUND

Council's 2013/14 Strategic Plan commits \$31.4M to road related asset capital works. The majority of these funds (\$20.6M) are committed to road pavement upgrade, or road drainage works (\$8.3M). The remaining \$2.5M is allocated to footpath, drainage and road safety improvement projects.

#### **The target volume output for 2013/14 is:**

- Pavement resealing = 45 km. 37.2km has been completed to date.
- Road upgrade / renewal = 13.5 km. 8.99km has been completed to date.

Council continues to operate an advanced Pavement Management System which is used to measure and model network condition and to develop optimised works programs. The allocation of funding is consistent with the strategically developed optimised works program that continues to see an overall improvement in network condition towards the previous Council's agreed target level of a Pavement Condition Index (PCI) of 7 (current PCI = 6.3). Given the current level of funding we anticipate achieving the PCI of 7 at the completion of the 2013/14 capital works programme.

The following table provides a listing and timing of proposed works for the following 12 month period sorted by suburb.

During March the following major achievements in the Road Capital Works program were;

- Warnervale Road – works progressed well although delays to the construction from weather and unforeseen additional sewer and drainage works has delayed the reopening until early April.

## 5.2 Road Capital Works Program (contd)

---

- The Ridgeway – Construction works commenced on the widening and upgrade of this section of The Ridgeway including power pole relocations and final clearing of road verges ready for road pavement construction works.
- Bundilla Avenue, Berkeley Vale – new footpaths, kerb ramps and pedestrian refuges were completed in response to concerns from local residents.
- Road stabilisation was successfully carried out on the following local roads;
  - Gascoigne Road, Gorokan.
- Asphalting of the following roads were completed;
  - Wyong Road, Tuggerah;
  - Sparks Rd, Warnervale
  - Tuggerawong Rd, Tuggerawong;
  - Cadonia Road, Tuggerawong;
- Sealing of the following roads were completed;
  - Casey Drive, Watanobbi;
  - Woodward Avenue, Wyong.

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2013 / 2014 Financial Years						
Suburb	Project	2013 / 2014			Complete	
		Apr	May	June		
	<i>Special Rate Variation (SRV) Projects shown italicised and shaded</i>					
<b>BATEAU BAY</b>	<b>PAVEMENT RENEWAL</b>					
	ANNE FINLAY PLACE				✓	
	SHERRY ST				✓	
	MALANA AVE				✓	
	<b>RESEAL PROGRAM</b>					
	BURRAWONG ST: From Bateau Bay Rd to Reserve Dr					
	CURZON AVE: From Cresthaven Ave to Margherita Ave					
	MARLOWE RD: From Biara St to Shakespeare Ave				✓	
	RICKARD ST: From Bateau Bay Rd to Pasadena Ave					
	STEPHENSON RD: From Kipling Dr to Dead End					
	YARUGA ST: From Hiltop St to Reserve Dr					
	MELISSA CL: From Debra Anne Dr to Change Of Width				✓	
	NOELENE CL: From Rotherham St to Dead End				✓	
<b>BERKELEY VALE</b>	<b>PAVEMENT RENEWAL</b>					
	<i>BERKELEY RD: Road upgrade including stormwater drainage</i>					
	<b>RESEAL PROGRAM</b>					
	JUDITH ANNE DR: From Kilkenny Pde to Gladys Ave					
	ROGER CR: From Jeannie Cr to Judith Anne Dr					
	SHAMROCK DR: From Gregory St to Emerald Pl				✓	
	TAROONA AVE: From Chetwynd Ave to Dead End					
	THE GLEN: From Jeannie Cr to Roger Cr					
<b>BLUE BAY</b>	<b>PAVEMENT RENEWAL</b>					
	<i>BAY RD: Road upgrade including stormwater drainage</i>					
<b>BLUE HAVEN</b>	<b>RESEAL PROGRAM</b>					

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	BIRDWOOD DR: From Penguin Rd to Dead End				✓
	PENGUIN RD: From Birdwood Dr (Northern Entry) to Birdwood Dr				✓
<b>BUDGEWOI</b>	<b>ROAD FACILITY</b>				
	Ocean St/Ourring St : Raised threshold traffic calming device				
	<b>RESEAL PROGRAM</b>				
	KAILUA AVE: From Diamond Head Dr (West) to Diamond Head Dr				
	PHILLIPS CR: From Scenic Dr to Kailua Ave				✓
	WEST KAHALA AVE: From Woolana Ave to Hulani Ave				✓
	WOOLANA AVE: Scenic Dr to Lilo Ave				✓
<b>BUFF POINT</b>	<b>PAVEMENT RENEWAL</b>				
	<i>ELOUERA AVE: Road upgrade with possible stormwater drainage</i>				Deferred to 14/15
	<b>RESEAL PROGRAM</b>				
	MOOLA RD: From Bruce Rd to Dead End				
	WOODLAND PKW: From Buff Point Ave to Dead End				✓
	MOOLA RD: From Bruce Rd to Dead End				
	WOODLAND PKW: From Buff Point Ave to Dead End				✓
<b>CHAIN VALLEY BAY</b>	<b>RESEAL PROGRAM</b>				
	DALE AVE: From Skaysbrook Ave to Lloyd				✓
	IVY AVE: From Scaysbrook Ave to Lloyd Ave				
	LLOYD AVE: From Dead End (West) to Dead End				
<b>CHARMHAVEN</b>	<b>PAVEMENT RENEWAL</b>				
	<i>PANORAMA AVE / HOBSON AVE: Road upgrade / renewal with possible stormwater drainage</i>				
	MOALA PDE				✓
	<b>RESEAL PROGRAM</b>				
	RESTLEA AVE: From Alan Ave to Panorama Pde				
	WYREEMA AVE: From Sh 10 Pacific Hwy to Panorama Ave				
<b>CHITTAWAY BAY</b>	<b>PAVEMENT RENEWAL</b>				
	GEOFFERY RD				Deferred

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	<b>RESEAL PROGRAM</b>				
	THOMAS WALKER DR: From Lakedge Ave to Platypus Rd				
	SOVEREIGN CR: From James Watt Dr to Dead End				
	SOPHIA JANE ST: From James Watt Dr to Dead End				✓
<b>DOORALONG</b>	<b>RESEAL PROGRAM</b>				
	DOORALONG RD: From Mandalong Rd to Hitchcocks Ln				✓
<b>FOUNTAINDALE</b>	<b>PAVEMENT RENEWAL</b>				
	ENTERPRISE DR CH5.830 -CH6.327: Regional Road Repair Programme (50/50 Grant)				✓
	<b>RESEAL PROGRAM</b>				
	VALERIE CL: From Heathcliff to Dead End				
	HEATHCLIFF CL: From Manns Rd to Dead End				
	JENNY LNE: From Change Of Seal to Dead End				
<b>GLENNING VALLEY</b>	<b>RESEAL PROGRAM</b>				
	CORONA LNE: From Berkeley Rd to End				
	BELLBIRD CL: From Glenning Rd to Dead End				✓
	GREENACRES CL: From Glenning Rd to Dead End				
	BOWER BIRD CL: From Glenning Rd to Dead End				
	RUTHERFORD DR: From Corona Ln to Dead End				
	ROXBURGH CL: From Rutherford Dr to Dead End				
	BECKINGHAM RD: From Glenning Rd to Dead End				
	JACARANDA AVE				✓
	BOTTLEBRUSH DR				✓
	APPLETREE CL				✓
<b>GOROKAN</b>	<b>PAVEMENT RENEWAL</b>				
	GASCOIGNE ROAD				
	<b>RESEAL PROGRAM</b>				
	DANBURY AVE: From Westbrook Pde to Malvina Pde				✓
	ESSEX ST: From Cornwall Ave to Middlesex St				

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	GRANDVIEW PDE: From Wallarah Rd to Glendale St				✓
	KALULAH AVE: From Dudley St to The Corso				✓
	MARY ST: From Western End to Lakeview St				✓
	MAXWELL AVE: From Clucas Ave to Ocean View St				✓
	PAUL PL: From Lake Haven Dr to Dead End				✓
	SPRING VALLEY AVE: From Dudley St to Malvina Pde				✓
	VALENCIA ST: From Mr 509 Wallarah Rd to Manuka Pde				✓
	WESTBROOK PDE: From Dudley St to Goobarabah Ave				✓
	KENNEDY ST				✓
	GLENICE CL				✓
	KIMBERLEY ST				✓
<b>GWANDALAN</b>	<b>PAVEMENT RENEWAL</b>				
	PARRAWEENA RD / KANANGRA DR				
	<b>RESEAL PROGRAM</b>				
	COLLENDINA RD: From Aldinga Rd to Pinaroo Rd				
	KANANGRA DR: From Change Of Seal to Dead End				
	NOAMUNGA CR: From Koowong Rd to End				
	YILLEEN ST: From Parraweena Rd to Dulkara Rd				
<b>HALEKULANI</b>	<b>PAVEMENT RENEWAL</b>				
	WOOLANA AVE: Roads to Recovery				✓
	<b>RESEAL PROGRAM</b>				
	LILO AVE: From Woolana Ave to Sunrise Ave				
<b>JILLIBY</b>	<b>RESEAL PROGRAM</b>				
	HUE HUE RD: From Kiar Ridge Rd to Woods Rd				✓
	ST JOHNS RD: From Hue Hue Rd to End Of Seal				✓
	HOLLOWAY DR: From Hue Hue Rd to Ch. 1422				✓
	SMITHS RD: From Durren Rd to End of Seal				✓
	THE DOWNS: From Buttenderry Way to Dead End				✓

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	THE KNOLL: From Buttonderry Way to Dead End				✓
	JILLIBY RD: From Dunks Ln to Power Pole Wk286				✓
<b>KANGY ANGY</b>	<b>RESEAL PROGRAM</b>				
	OLD MAITLAND (NORTH) RD: From End Of Gravel to Cobbs Rd				
<b>KANWAL</b>	<b>PAVEMENT RENEWAL</b>				
	WAHROONGA RD				✓
	<b>RESEAL PROGRAM</b>				
	BUCKLAND AVE: From Stanley St to Blackford Av				✓
	CAMBRIDGE AVE: From Pearce Rd to Hughes Ave				✓
	PEARCE RD: From Craigie Ave to Wahroonga Rd				✓
	PHYLLIS AVE: From Stanley St to Kaye Ave				✓
	ROLFE AVE: From Craigie Ave to Stephen St				✓
<b>KILLARNEY VALE</b>	<b>PAVEMENT RENEWAL</b>				
	Bass Ave - Road and drainage upgrade				✓
	CORNISH AVE				
	CUTHBERT RD				✓
	HUME BLVD				
	<b>RESEAL PROGRAM</b>				
	PLAYFORD RD: From Mawson Dr to Thomas Mitchell Dr				✓
	THE PENINSULA: From Adelaide St to Dead End				
	THOMAS MITCHELL RD: From Change Of Seal to Mort St				✓
	TURANA AVE: From Yimbala St (Southern Entry) to Yimbala St				
	WARRATTA RD: From Cornish Ave to Adelaide St				
	MORT ST: From Robertson Rd to Thomas Mitchell Dr				✓
<b>KINGFISHER SHORE</b>	<b>RESEAL PROGRAM</b>				
	KARoola AVE: From Tall Timbers Rd to Lakeshore Ave				
<b>KULNURA</b>	<b>RESEAL PROGRAM</b>				
	SPRINGS RD: From Greta Rd to George Downs Dr				✓
<b>LAKE HAVEN</b>	<b>RESEAL PROGRAM</b>				



Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	JAPONICACL: From Gorokan Dr to Dead End				✓
	TELOPEA CL: From Japonica Cl to Dead End				✓
	KYLIE CL: From Alisa Cl to Dead End				✓
	HOLLY CL: From Alisa Cl to Dead End				✓
	KATE CL: From Holly Cl to Dead End				✓
	KESWICK DR: From Derwent Dr to Brensley Cl				✓
	WOODSIDE CRT: From Keswick Dr to Dead End				✓
<b>LAKE MUNMORAH</b>	<b>PAVEMENT RENEWAL</b>				
	<i>ANITA AVENUE @ AGATHA: Road Upgrade including stormwater drainage</i>				✓
	GREENACRE AVE - Drainage & Road Upgrade				✓
	<b>RESEAL PROGRAM</b>				
	ALISTER AVE: From Acacia Ave to Anita Ave				
	ANDREW ST: From Terence Ave to Dead End				
	BUDGEREE AVE: From Kamillaroo Ave to Dead End				✓
<b>LEMON TREE</b>	<b>PAVEMENT RENEWAL</b>				
	McPHERSON RD				✓
	<b>RESEAL PROGRAM</b>				
	DOORALONG RD: From Bridge Abutment to Bridge Abutment				✓
	DOORALONG RD: From Yambo St to Power Pole Lt18				✓
<b>LONG JETTY</b>	<b>PAVEMENT RENEWAL</b>				
	THOMPSON ST: Road & Drainage upgrade				✓
	<b>RESEAL PROGRAM</b>				
	ALFRED ST: From Watkins St to Dead End				
	BONNIEVIEW ST: From Western End to Grandview St				
	CAPTAIN COOK CR: From Bonnieview St to Endeavour Dr				
	FRASER RD: From Toowoan Bay Rd to Archbold St				
	FRASER RD: From Archbold St to Anzac Rd				

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	GALLIPOLI (North)RD: From Willow St to Dead End				
	MINTO AVE: From Mr 336 The Entrance Rd to Tuggerah Pde				
	WATKINS ST: From Toowoan Bay Rd to Local Boundary No 18 - 20				
	WILLOW ST: From Norfolk St to Dead End				
<b>MANNERING PARK</b>	<b>PAVEMENT RENEWAL</b>				
	RUTTLEYS RD				
	<b>RESEAL PROGRAM</b>				
	GYMEA CR: From Vales Rd to Barclay Ave				
	MACQUARIE RD: From Vales Rd to Greenway Ave				✓
	SPENCER RD: From Vales Rd to Griffith St				
<b>MARDI</b>	<b>RESEAL PROGRAM</b>				
	COBBS RD: From Mr 335 Wyong Rd to Dead End				✓
	MARDI RD: From McPherson Rd to Dead End				✓
	COLLIES LNE: From Old Maitland Rd to Dead End				✓
<b>NORAH HEAD</b>	<b>RESEAL PROGRAM</b>				
	KENDALL CR: From Dennison St (Western Entry) to Dennison St				
	MACQUARIE ST: From Bungary Rd to Dead End				✓
<b>NORAVILLE</b>	<b>RESEAL PROGRAM</b>				
	BIRRIGA RD: From Mr 509 Main Rd to Dead End				✓
	ELIZABETH DR: From Ada Ave to Budgewoi Rd				✓
	PANDORA PDE: From Mr 509 Main Rd to Birrigast				
	REYNOLDS RD: From Clark Rd to Bundara Rd				
	HAMMOND RD: From Fravent St to Evans Rd				✓
<b>OURIMBAH</b>	<b>RESEAL PROGRAM</b>				
	OURIMBAH CREEK RD: From Sh 10 Pacific Hwy to Fitton Cl				✓
	OURIMBAH CREEK RD: From Driveway 604 to Power Pole Ou715				
	RESERVOIR RD: From Glen Rd to Dead End				

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	TURPENTINE RD: From Enterprise Dr to Ourimbah Rd				
	MILL ST: From Change Of Seal to Dead End				
<b>RAVENSDALE</b>	<b>RESEAL PROGRAM</b>				
	RAVENSDALE RD: From Power Pole Ka190 to End of Seal				
<b>SAN REMO</b>	<b>PAVEMENT RENEWAL</b>				
	<i>GOORAMA AVE: Road Upgrade/Renewal including stormwater drainage</i>				✓
	<b>RESEAL PROGRAM</b>				
	ALPINEAVE: From Wills Rd to Claridge Cr				
	CLARIDGE CR: From Dead End (South) to Dead End				
	LIAMENA AVE: From Kallaroo Rd to Highview St				✓
	RICHARDSON RD: From Goorama Ave to Wills Rd				
	TARONGA AVE: From Goorama Ave to Yurunga Ave				
<b>SHELLY BEACH</b>	<b>RESEAL PROGRAM</b>				
	BELLEVUE ST: From Shelly Beach Rd to Swadling St				
<b>SUMMERLAND POINT</b>	<b>RESEAL PROGRAM</b>				
	INDRA AVE: From Kullaroo Rd to Muraban St				
	KULLAROO RD: From Omaru Pl to Dead End				✓
	APANIE CLCL: From Muraban Rd to Dead End				
<b>TACOMA</b>	<b>RESEAL PROGRAM</b>				
	BRAITHWAITE RD: From Hillcrest Ave to Jensen Road				
	HILLCREST AVE: From Braithwaite Rd to Powerpole 5103				
<b>TACOMA SOUTH</b>	<b>RESEAL PROGRAM</b>				
	KINGSLAND CL: From South Tacoma Rd to Dead End				
	RAYMOND ST: From South Tacoma Rd to Dead End				
<b>THE ENTRANCE</b>	<b>PAVEMENT RENEWAL</b>				
	HEADOR ST				✓
	FRAVENT ST				✓
	<b>RESEAL PROGRAM</b>				

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	CAMPBELL AVE: From Mr 336 The Entrance Rd to Lakeside Ave				✓
	FAIRPORT AVE: From Dening St to Ocean Pde				
	VIEW ST: From Mr 336 The Entrance Rd to Ch202 (Change of Seal)				✓
	WARRIGAL ST: From Local Boundary No37/39 to Boomerang Rd				✓
	WARRIGAL ST: From Gosford Ave to Park Rd				✓
<b>THE ENTRANCE NORTH</b>	<b>RESEAL PROGRAM</b>				
	SIMPSON ST: From Hutton Rd to Dead End				
	ROBERTS RD: From Mr 336 Wilfred Barrett Dr to Hutton Rd				✓
<b>TOUKLEY</b>	<b>RESEAL PROGRAM</b>				
	BARNARD CR: From Jones Ave (Western Entry) to Jones Ave				✓
	FRAVENT (South)ST: From Hargraves St to Mr509 Main Rd				
	JONES AVE: From Fravent St to Evans Rd				✓
	ROWLAND TCE: From Peel St to Dead End				
	SEVENTH AVE: From Western End to Ch610 (Change of Seal)				
	TAMAR AVE: From Mr 509 Main Rd to Dunleigh St				
<b>TUGGERAH</b>	<b>RESEAL PROGRAM</b>				
	FOWLER RD: From Change Of Seal to Bridge Abutment				
<b>TUGGERAWONG</b>	<b>RESEAL PROGRAM</b>				
	TUGGERAWONG ROAD : Roads to Recovery				✓
	FRIDAY (WEST) ST: From Cadonia Rd to dead end.				✓
	THURSDAY ST: From Cadonia Rd to Dead End				
<b>TUMBI UMBI</b>	<b>PAVEMENT RENEWAL</b>				
	FLORENCE AVE				
	TUMBI RD CH6.061 - CH6.283: Regional Road Repair Programme (50/50 Grant)				
	<i>THE RIDGEWAY: Road upgrade and minor drainage</i>				
	<b>RESEAL PROGRAM</b>				

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	KARENA ST: From The Avenue to Highview St				
	THE AVENUE: From Sherry St to Highview St				✓
	HIGHVIEW ST				✓
	SHERLOCK LN				✓
<b>WADALBA</b>	<b>PAVEMENT RENEWAL</b>				
	WOOLWORTHS WAY				✓
	MINNESOTA RD				✓
	WARNERVALE RD				
	<b>RESEAL PROGRAM</b>				
	JOHNS RD: From Local Boundary 230 to Local Boundary 180				✓
	JOHNS RD: From Power Pole Wy10061 to Power Pole Wy900				✓
	JENSEN RD: From Tuggerawong Rd to Boundary Line				✓
<b>WARNERVALE</b>	<b>RESEAL PROGRAM</b>				
	NIKKO RD: From Warnervale Rd to Dead End				
<b>WATANOBBI</b>	<b>RESEAL PROGRAM</b>				
	CASEY DR: From Watanobbi Rd to Somers Dr				
	DUNROSSIL AVE: From Cowen St to Dead End				
	HASLUCK DR: From Dunrossil Ave to Casey Dr				
	MAPLE CIR: From Northcott Ave to Maple Cir				✓
	COWAN ST: From De L'Isle Dr to Stonehaven Ave				
	NINIAN CL				✓
<b>WOONGARRAH</b>	<b>PAVEMENT RENEWAL</b>				
	PETERS LN				
<b>WYONG</b>	<b>PAVEMENT RENEWAL</b>				
	<i>BUNNING CREEK RD: Road Upgrade (Seal)</i>				✓
	<b>RESEAL PROGRAM</b>				
	BOYCE AVE: From Panonia Rd to Dead End				
	NORTHCOTT AVE: From Cutler Dr to Casey Dr				
	RIVERVIEW DR: From Boyce Ave to Boyce Ave				

Suburb	Project	2013 / 2014			Complete
		Apr	May	June	
	WOODWARD AVE: From Harvey St to Dead End				✓
	COHEN ST: From Woodward Ave to Dead End				✓
	Manor				
WYONGAH	RESEAL PROGRAM				
	COOHANGA RD: From Cadonia Hd to Dead End				

## ATTACHMENTS

Nil

### **5.3 Outstanding Questions on Notice and Notices of Motion**

---

TRIM REFERENCE: F2013/02042 - D06173109  
MANAGER: Lesley Crawley, Manager  
AUTHOR: Fiona Kurtz; Councillor Services Officer

#### **SUMMARY**

Report on Outstanding Questions on Notice and Notices of Motion.

#### **RECOMMENDATION**

*That Council receive the report on Outstanding Questions on Notice and Notices of Motion.*

#### **ATTACHMENTS**

- 1 Outstanding Questions on Notice and Notices of Motion - 9 April 2014 D06436370

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
11.	Community and Recreation Services	Brett Sherar	<p>8.1 Notice of Motion - Regional Sport Economic Benefit</p> <p>1 That Council <u>note</u> the numerous benefits (including tourism, economic and sporting) associated with hosting Regional Sporting events.</p> <p>2 That Council <u>investigate</u> the capability restraints of our current sports grounds to host Regional Sporting events and the need to formulate a strategic approach to maximise the usage of our facilities to attract such events.</p> <p>3 That Council <u>request</u> the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration.</p> <p>4 That Council <u>liaise</u> with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events.</p>	13 March 2013 Cr Nayna	Report will be provided at a future meeting.
12.	Property and Economic Development.	Stefan Botha	<p>8.2 Notice of Motion - Waste Initiatives</p> <p>1 That Council <u>note</u> the recent announcement by the New South Wales Government of their 'Waste Less, Recycle More' program.</p> <p>2 That Council <u>note</u> the 'Supporting Local Communities – Local Government Program' that provides access to \$137.7 million over 5 years to reduce illegal dumping and littering.</p> <p>3 That Council <u>request</u> the General Manager to provide a briefing to Councillors which identify possible applications to the 'Supporting Local Communities – Local Government Program'.</p> <p>4 That Council <u>note</u> that the waste levy will cost Ratepayers \$12.5 million in 2013/14.</p> <p>5 That Council <u>write</u> to The Hon Robyn Parker MP, Minister for the Environment expressing ongoing concerns with the cost to Council of the Waste Levy.</p>	13 March 2013 Cr Nayna	<p>Resolution 3 – Currently waiting on EPA to provide more information – expected in the first quarter of 2014.</p> <p>Resolution 5 – Completed.</p> <p>The remaining resolutions are to be noted.</p>
36	Property and Economic	Kathryn	9.1 Notice of Motion - Councils Reduction in Red Tape	24 July 2013	Response to be provided by end of 2014.



No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
	Development.	Heintz	<p>1 That Council <u>indicate</u> its intention to rescind all controls over residential side and rear boundary fencing.</p> <p>2 That Council <u>acknowledge</u> that in Wyong Shire all dividing fence matters are controlled by the Dividing Fences Act 1991.</p> <p>3 That Council <u>insert</u> "Front Boundary Fences" within Schedule 2, Exempt Development, as part of major Amendment No.1 to the Wyong Local Environmental Plan 2012, subject to the following standards:</p> <p>a be not higher than 1.8 metres above ground level (existing); and</p> <p>b be located within, not over, the front boundary; and</p> <p>c be designed to preserve traffic sight line requirements at intersections; and</p> <p>d be not constructed of barbed or razor wire.</p>	Cr Taylor	
56	General Managers Unit	Brian Glendenning	<p>Mayoral Minute – Central Coast Water Board General Meeting</p> <p>1255/13 That Council <u>note</u> the Central Coast Water Corporation proposes to hold its Annual General Meeting at Gosford City Council on Thursday 14 November 2013 at 6.00pm to consider the audited financial statements and that clause 7.8 of the Constitution of the Central Coast Water Corporation permits Council to attend and vote at that proposed Annual General Meeting by proxy.</p> <p>1256/13 That Council <u>appoint</u> the Mayor as Council's proxy at the proposed Annual General Meeting of Central Coast Water Corporation, with that appointment being for the purposes of clause 7.8 of the Constitution of the Central Coast Water Corporation.</p> <p>1257/13 That Council <u>resolve</u> that the Council Seal be affixed to the attached instrument to effect the</p>	23 October 2013 Cr Eaton	<p>1255/13 - Completed</p> <p>1256/13 - Completed.</p> <p>1257/13 - Completed.</p> <p>1258/13 - Completed.</p> <p>1259/13 – Options are being investigated and a report will be prepared – Date of submission to Council to be advised.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1258/13 <i>above appointment.</i> That Council <u>request</u> the General Manager to invite all Councillors to attend the Annual General Meeting of the Central Coast Water Corporation once formal notice for that Meeting has been received.</p> <p>1259/13 That Council <u>direct</u> the General Manager to investigate and report the governance options around the Wyong Water Authority.</p>		
57	Development Building and	Jane Doyle	<p>7.1 - Notice of Motion – Proposed Amendments to Tree Policy</p> <p>1 That Council <u>resolve</u> to allow the owners of residential land, of 1,000sq m or less, the right to remove a single tree in any 12 month period if the tree is deemed to be hazardous to life or property, by the owner.</p> <p>2 That Council <u>note</u> that where more than 1 tree is identified to be hazardous, to life or property, removal will require Council approval.</p> <p>3 That Council <u>request</u> the General Manager to provide a report to Council, outlining further possible amendments to Council's Tree Policy that will streamline processes, reduce red tape and achieve the following objectives:</p> <p>a to reduce, real or perceived, hazards arising from trees to life or property including, bushfires, falling trees and branches, tree root damage and the like.</p> <p>b to minimise Council's exposure to claims and litigation arising from damage caused by trees and</p> <p>c to reduce the number of circumstances in which Council's approval is required for the removal of trees on private property.</p> <p>4 That Council <u>request</u> the General Manager provide a report to Council that addresses possible</p>	13 November 2013 Cr Best	Response to be provided June 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>amendments to the proposed Wyong LEP 2013 to provide that the removal of trees (in accordance with points 1 and 2 above) be Exempt Development.</i></p> <p>5 <i>That Council <u>note</u> that these additions will be in addition to the 6 and 12 metre current policy for the removal of trees.</i></p>		
66	Development and Building Department	Jane Doyle	<p>Q49/13 - Darkinjung Large Scale manufactured Home Estate, Budgewoi (DA 493/2012 lodged 21 June 2012)</p> <p><i>Mr General Manager, my question is on behalf of the good people of the greater Budgewoi area. As their local Councillor, I have received numerous calls and representations around the inordinate amount of time that this major development is taking for Council to determine. Understandably, with Council receiving more than 2,000 submissions on this particular DA, the most ever, it is only fair and reasonable that after more than a year, this matter be determined. Could you please advise Council, and in deed the community, when will this happen?'</i></p>	11 December 2013 Cr Best	Response to be provided May 2014.
70	General Manager's Unit	Lesley Crawley (1 & 2)  Julie Vaughan (3)	<p>7.1 Notice of Motion - So Called Scientific Whaling</p> <p>114/14 That Council <u>reaffirm</u>, on behalf of this Coastal Community, its total opposition and outrage at the continuing slaughter of whales that migrate past our coast only to be slaughtered in their Antarctic Whale Sanctuary by Japanese factory ships for so called scientific Whaling purposes.</p> <p>115/14 That Council <u>advocate</u> on behalf of our community, through our Federal Members to continue to encourage the Government to make all responsible representation possible to put an end to this wanton environmental destruction.</p> <p>116/14 That Council <u>request</u> the General Manager to provide a progress / issues report on the highly successful upcoming 2014 annual community</p>	12 February 2014 Cr Best	<p>Action 1 and 2 – Letters sent to federal Ministers 20 March 2014. Completed.</p> <p>Action 3 – Response to be provided in late June.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			Whale Watching awareness event (Sunday 6 July 2014) known as the 'Whale Dreamers Festival ' to be held at the Norah Head Light House.		
75	Infrastructure and Operations	Greg McDonald	Q58/14 Installation of GPS units in Council Vehicles <i>"Can information be provided regarding what additional benefit the community will see through the installation of GPS units to not only the trucks in parks and reserves but also to the trailered parks and reserves mower that will detect both when the mower blades are up and or down?"</i>	Cr Matthews 12 March 2014	Response will be provided at 23 April 2014 meeting.
76	Community and Recreation Services	Maxine Kenyon	Q59/14 Melanoma March <i>"Mr Mayor, I understand that the annual Melanoma March is to be held on Sunday 23 March 2014 at Gosford Waterfront. I have been approached by the Central Coast Melanoma Support Group for assistance in highlighting the importance to the broader community in attending this important awareness event. Could you please be so kind as to refer this request to our Communications section for their assistance? Also an appropriate reference/story in your Mayoral column would be appreciated?"</i>	Cr Best 12 March 2014	Response will be provided at 23 April 2014 meeting.
79	Development and Building Department	Jane Doyle	5.1 Notice of Motion - Development Application 493/2012 Darkinjung Aboriginal Land Council Amended Application Halekulani  292/14 That Council note the strong community interest in the original proposal for a 251 Manufactured Home Sites (Caravan Park) on Darkinjung Aboriginal Land at Halekulani. 293/14 That Council note that an amended application for that proposal has been submitted. 294/14 That Council extend the exhibition period for the revised plan for an additional month to provide the local community with adequate time to review and respond to the amended proposal. 295/14 That Council urgently broaden its formal notification of the amended application to include all 2,157 residents that made a submission to the original proposal. 296/14 That Council now renotify by mail all those local residents that made submissions.	Cr Best 26 March 2014	Response will be provided at a future meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE  
26 MARCH 2014**

	<b>Department</b>	<b>Question on Notice / Notice of Motion</b>	<b>Date Asked/ Councillor</b>	<b>Status</b>
20	Property and Economic Development	9.1 Notice of Motion – Urgent Employment Stimulus	24 April 2013 Cr Nayna	Report included in 9 April 2014 agenda.
67	Development & Building	Q51/14 Sparks Road	22 January 2014 Cr Nayna	Response included in 9 April 2014 agenda.
74	Property and Economic Development	7.1 Notice of Motion – Shire Wide Spring Clean and Free Tip Access	Cr Best 12 March 2014	Response included in 9 April 2014 agenda.
77	Community and Recreation Services	Q60/14 Lake Haven Skateboard Ramp	Cr Best 12 March 2014	Response included in 9 April 2014 agenda.
78	Infrastructure and Operations	Q61/14 RMS UpGrade to Pacific Highway	Cr Greenwald 12 March 2014	Response included in 9 April 2014 agenda.

## 6.1 Answers to Question on Notice

---

TRIM REFERENCE: F2014/00324 - D06270372 AUTHOR: BMc

### Q60/14 Lake Haven Skateboard Ramp

The following question was asked by Councillor Best at the Ordinary Meeting on 12 March 2014:

*"Mr Mayor,*

*I have received numerous representations from a broad cross section of the community on issues associated with Council's endeavours to relocate the Lake Haven skateboard ramp. Such is the community concern, that more than 50 local residents attended a community meeting on 7 February 2014 where it was unanimously resolved not to locate this facility in the suggested proximity of local residents. Could you please have staff provide council with a brief update of the current situation, options and suggested recommendations that will limit the impact to the local community?"*

Staff identified a number of possible nearby sites that the skate park could be relocated to, including:

- Site 1 - At the other side of Gravity near the shopping centre – not preferred due to flooding.
- Site 2 - Adjacent to the end of the tennis court – this was preferred at the initial stage due to the minimal impact on the field area and increased passive surveillance but was rescinded after initial community consultation as it was the closest to houses and the level of impact on the car park.
- Site 3 - At the side of the tennis courts – preferred site due to Crime Prevention Through Environmental Design (CPTED) requirements plus minimisation of impact on residents.

Council staff convened a public meeting on 7 February to provide information to the community about the preferred site which was Site 3. The feedback received from residents attending included:

- Opposition to the skate park being relocated at all.
- It should be located further west from the preferred site between the existing Gravity / Cinema and the oval. This became Site 4 and after consideration, including a CPTED analysis, it was not preferred due to poor access and minimal sight lines to the facilities in the vicinity.
- Numerous other issues not related to the skate park including lack of parking, traffic issues, the Masterplan and quality of footpaths. These issues were referred to the appropriate officer.

## 6.1 Lake Haven Skateboard Ramp (contd)

After the three sites initially identified and the fourth site identified by residents were evaluated, the preferred location remained next to the tennis courts as per the below site map.

Relocating the skate park to the identified site and implementing the strategies listed continues to provide an appropriate facility for the community, particularly young people, but balances that with the concerns of local residents.

### Site Map



### ATTACHMENTS

*Nil.*

## **6.2 Answers to Question on Notice**

---

TRIM REFERENCE: F2011/00260 - D06052619 AUTHOR: KS

### **Q57/14 Soldiers Beach Surf Club**

The following question was asked by Councillor Best at the Ordinary Meeting on 26 February 2014:

*"Mr Mayor,*

*I had the pleasure of recently touring the Soldier's Beach surf club and noted that it is in a harsh environment and that there are some maintenance issues.*

*I would like to understand what is in place to manage this important community asset; and of particular interest, I would like to be appraised of what Council, in partnership with the surf club, is intending to do with the "scorched earth" that appears to be grass in the front area?*

*I'd appreciate feedback on this matter at your earliest convenience?"*

Council has a 20 year lease agreement with the Soldiers Beach Surf Club which includes the requirement on the club to undertake all building maintenance with the exception of structural maintenance but excludes the public amenities and showers. Staff have had discussion with Surf Life Saving Central Coast about the need to provide a maintenance plan for the Soldiers Beach Surf Club.

The grassed area to the front of the club will be replaced with new turf as part of current work scheduled to upgrade the area. The work will also include replacing the existing fencing, new concrete paving, improvements to storm water drainage, dune re-grading and re-vegetation. All work will be completed by June 2014.

## **ATTACHMENTS**

*Nil.*



### **6.3 Answers to Question on Notice**

---

TRIM REFERENCE: F2004/06772 - D06169246 AUTHOR: SN

#### **6.3 Shire Wide Spring Clean and Free Tip Access**

The following question was asked by Councillors Best, Taylor and Troy at the Ordinary Meeting on 12 March 2014:

- "1 That Council recognise the urgent need to provide more flexible tipping options in an effort to curb escalating illegal dumping.*
  
- 2 That Council direct the General Manager to investigate and report around the following improvement initiatives to assist ratepayers and minimise the risk of illegal dumping in our Shire:*
  - a) Convert a number of the current free kerb side pick-ups to free tip access, thereby providing ratepayers with tangible tipping options.*
  
  - b) The feasibility / logistics of 'whole area pick ups' similar to many Sydney LGAs to provide a suburb wide spring clean option in the lead up to the 2014 Christmas break.*
  
  - c) Review, in partnership with Remondis, the kerb side pick-up booking process with a view to improved service delivery and systems efficiencies."*

Council could issue tip passes with the rates notices to either replace kerbside collections (e.g. each household receives 3 kerbside + 3 tipping passes per annum) or above and beyond the current 6 free kerbsides. The key problem with this approach is that many residents are tenants and are not the rate payer. Staff estimate this option would have a total cost of approximately \$22 per 100kg of waste delivered by residents to the tip.

60,000 households with at least one pick-up per household at a cost of \$44 per pick-up would cost approximately \$2.6m if all residents responded. If this were extended to 2 pick-ups per annum the direct cost would be \$5.2m.

The waste contractor Remondis is willing to investigate this proposal (trucks required, staff required, software, verification etc.). Each extra pick-up results in direct incremental revenue for Remondis.

Journey mapping of the existing process has commenced and there is ongoing work with Remondis to improve the current user experience. For example, stickers could be placed on bins to provide contact/booking details and remind people of their entitlement.

#### **ATTACHMENTS**

*Nil.*

## **6.4 Answers to Question on Notice**

---

TRIM REFERENCE: F2013/00024 - D06233130 AUTHOR: PM

### **6.4 Q61/14 - RMS Upgrade to Pacific Highway**

The following question was asked by Councillor Greenwald at the Ordinary Meeting on 12 March 2014:

*“Can Council gain a status report on the latest plan – options for the RMS upgrade of the Pacific Highway through Wyong Township?”*

Roads and Maritime Services (RMS) Hunter Regional Manager, Anna Zycki advised at a meeting with Council staff on 14 February 2014 that the project to upgrade the Pacific Highway through Wyong does not currently have funding allocated for construction. However, it was advised that RMS intend to undertake public consultation and progress the Review of Environmental Factors (REF) with the intention to complete this preconstruction works in the next 18 months. It is then anticipated that RMS will secure the necessary funding for construction to commence sometime in the subsequent 5 year period before the REF approval lapses.

### **ATTACHMENTS**

*Nil.*

## **6.5           Answers to Question on Notice**

---

TRIM REFERENCE: F2010/00500 - D06235580   AUTHOR: JL

### **6.5           Q51/14 - Sparks Road**

The following question was asked by Councillor Luke Nayna at the Ordinary Meeting held on 22 January 2014:

“Can Council please investigate the use of Sparks Road, Hamlyn Terrace as a used car sales yard and report to Council any breaches of traffic regulations?”.

Rangers have detected 112 parking offences for vehicles parked for sale on Sparks Road, Hamlyn Terrace since 1st March 2013 to the current date. Fines to the value of \$11,212.00 were issued for that period.

Although it is not an offence to sell your car on the side of the road, most of the vehicles for sale are parked illegally (for example, on the footpath or nature strip or not parallel parked in the direction of travel) which is why they incur a fine.

### **ATTACHMENTS**

*Nil.*

9 April 2014

To the Ordinary Council Meeting

Councillor

## 7.1 Notice of Motion - Bicentennial Time Capsule - Relocation

---

TRIM REFERENCE: F2004/00063 - D06235857

AUTHORS: Lynne Webster; Councillor

Luke Nayna; Councillor

Councillors L Webster and L Nayna have given notice that at the Ordinary Council Meeting to be held on April 9 2014 they will move the following Motion:

- "1 That Council note that a time capsule was placed in the Wyong Bicentennial Rotary Garden located adjacent to the Wyong Memorial Hall, established in 1988.*
- 2 That Council note that the time capsule is to be opened at the Australian Tercentenary (2088).*
- 3 That Council note that the proposed drainage works associated with the establishment of the Wyong Art House has necessitated the removal of the Rotary Garden and the capsule and that a new site is currently being identified.*
- 4 That Council invite interested members of the community who were present at the original ceremony and other stakeholders to be present when the new location is established."*

### **RESOURCES**

This can be done within existing resources.